



November 14, 2016

Regular City Council Meeting, 7:00 PM

The meeting will commence at the end of the Study Session,
but in no event will it begin earlier than 7:00 PM

City Council Chambers

13133 E. Arapahoe Road

Centennial, Colorado 80112

www.centennialco.gov

AGENDA

Meeting Protocols:

PLEASE TURN OFF CELL PHONES; BE RESPECTFUL AND TAKE PERSONAL CONVERSATIONS INTO THE LOBBY AREA.

The Centennial City Council Meetings are audio streamed live on the City's website. Please remember to mute the volume on your laptop computers and to turn off all cell phones as they may cause interference with the microphones and audio streaming.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment

The Public Comment section offers an opportunity for any citizen to express opinions or ask questions regarding City services, policies or other matters of community concern, and any agenda items that are not a part of a scheduled public hearing. Citizens will have three minutes for comments if they are speaking as an individual, or five minutes if speaking on behalf of a group or organization. These time limits were established to provide efficiency in the conduct of the meeting and to allow equal opportunity for everyone wishing to speak. An immediate response should not be expected, as issues are typically referred to City staff for follow-up or research and are then reported back to Council and the individual who initiated the comment or inquiry.

Written materials for presentation to Council may be submitted to the City Clerk as the speaker approaches the podium. The City's computer presentation equipment is not available for general public use, although applicants are permitted to display relevant illustrations and material useful in informing the Council and public of a project. The public may, however, use the document camera for visual presentation of materials, if desired.

5. Scheduled Presentations (None)
6. Consideration of Communications, Proclamations and Appointments (None)

CONSENT AGENDA

The Consent Agenda can be adopted by a simple motion. The Consent Agenda will be read aloud prior to a vote on the motion. Any Consent Agenda item may be removed from the Consent Agenda at the request of a Council Member for individual consideration.

7. Consideration of Ordinances on First Reading

Approval of any Ordinance on first reading by approving the consent agenda is intended only to set a public hearing for the Ordinance and does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the merits of the Ordinance.

- a. ORDINANCE NO. 2016-O-17 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, REPEALING AND READOPTING SECTIONS 2-3-30 AND 2-3-50(A) OF THE CENTENNIAL MUNICIPAL CODE CONCERNING APPOINTMENT AND COMPENSATION OF MUNICIPAL JUDGES
(This item is proposed for Public Hearing on November 21, 2016, therefore no public comment will be accepted at tonight's meeting.)
(Juran)

8. Consideration of Resolutions

- a. RESOLUTION NO. 2016-R-67 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CENTENNIAL APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFEBUILT INC. FOR BUILDING SERVICE (Greer)

9. Consideration of Other Items

- a. Minutes
 - i. Study Session November 7, 2016
 - ii. Regular Meeting November 7, 2016

DISCUSSION AGENDA

10. Consideration of Land Use Cases (None)

11. Consideration of Ordinances

- a. Public Hearings
 - i. ORDINANCE NO. 2016 O-11 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR *Discussion Continued from November 7, 2016* (Firestine)

12. Consideration of Resolutions

a. Public Hearings

- i. RESOLUTION NO. 2016-R-72 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING THE 2016 BUDGET AND APPROVING A SUPPLEMENTAL APPROPRIATION FOR THE GENERAL FUND
This Public Hearing has been Cancelled

b. General

- i. RESOLUTION NO. 2016-R-74 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, APPROVING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH TEAM PLAYER PRODUCTIONS, INC. (Chadwick)

13. Consideration of Other Items

GENERAL BUSINESS

14. Other Matters as May Come Before Council

15. Reports

- a. City Manager
b. City Attorney
c. City Clerk
d. Council Members

16. Mayor's Report and Comments

17. Executive Session

18. Adjourn

Please call 303-754-3324 at least 48 hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting, or for any additional information.



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Deputy City Manager

FROM: Maureen Juran, Deputy City Attorney

DATE OF MEETING: November 14, 2016

DATE OF SUBMITTAL: November 1, 2016

SUBJECT: First Reading: Ordinance 2016-O-17 – Repealing and Readopting Sections 2-3-30 and 2-3-50(a) of the Centennial Municipal Code Concerning Appointment and Compensation of the Presiding Municipal Judge

1. Executive Summary:

During a recent Code review for purposes of advising the Council on the reappointment of the presiding municipal judge, the City Attorney's Office determined that two provisions of the Municipal Code governing the appointment and the compensation of the presiding municipal judge should be repealed and readopted in order to clarify (a) the period for any subsequent reappointment term for the presiding municipal judge and (b) the current independent contractor status of the municipal judge with the City. Proposed Ordinance 2016-O-17 effects these changes and is before City Council initially as a consent agenda item for first reading.

2. Discussion:

(a) The current Code requires that the presiding judge be appointed for a term of not less than two years, but is vague about what the period must be for a reappointment term. State statute also contemplates that a municipal judge shall be appointed for a "specified term of not less than two years and ... may be reappointed for a subsequent term" but is unclear whether the subsequent reappointment term must also be a minimum of two years or a different period. The proposed cleanup to the Municipal Code clarifies that any subsequent reappointment term can be for such length as Council determines to be appropriate. The City, as a home rule city, has the authority to adopt such a clarifying provision as a matter of local concern.

(b) The current Code provides that the compensation of the presiding municipal judge shall be a fixed annual *salary* payable on a periodic basis in conformity with the City's regular *payroll* practices. The relationship of the current presiding municipal judge is that of an independent contractor, not an employee. The current compensation language in the Code is indicative of a compensation methodology used for employees. The City may someday choose to make the municipal judge an employee -- or it may continue the independent contractor relationship. Regardless of how the City approaches this issue in the future, as a housekeeping measure, the proposed ordinance amends the Code so as to not indicate an employment relationship by use of the term "salary" as the compensation methodology.

3. Recommendations:

Staff recommends Council approval of Ordinance 2016-O-17 on first reading.

4. Alternatives:

Council may choose to amend or deny Ordinance 2016-O-17 on first reading by removal of consideration of such ordinance from the consent agenda.

5. Fiscal Impact:

There is no anticipated fiscal impact to City funds.

6. Next Steps:

If Ordinance 2016-O-17 is approved on first reading, it will be placed on a future agenda (11/21) for second reading, public hearing and final action.

7. Previous Actions:

None.

8. Suggested Motions:

As this matter is set for first reading, unless pulled from the consent agenda, a motion to approve the consent agenda will effectively approve Ordinance 2016-O-17 on first reading.

If this ordinance is removed from the consent agenda for amendment (or not) or to be denied, Council may choose to use one of these motions:

APPROVAL:

I move to APPROVE, on first reading, Ordinance 2016-O-17, Repealing and Readopting Sections 2-3-30 and 2-3-50(a) of the Centennial Municipal Code Concerning Appointment and Compensation of the Presiding Municipal Judge [with the following amendments....].

or

DENIAL:

I move to DENY, on first reading, Ordinance 2016-O-17, Repealing and Readopting Sections 2-3-30 and 2-3-50(a) of the Centennial Municipal Code Concerning Appointment and Compensation of the Presiding Municipal Judge.

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2016-O-17

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, REPEALING AND READOPTING SECTIONS 2-3-30 AND 2-3-
50(A) OF THE CENTENNIAL MUNICIPAL CODE CONCERNING
APPOINTMENT AND COMPENSATION OF MUNICIPAL JUDGES**

WHEREAS, the City of Centennial (the “City”) is a Colorado home rule municipality organized pursuant to Article 20 of the Colorado Constitution; and

WHEREAS, Section 13-10-105, C.R.S., provides that, unless otherwise provided in the charter of a home rule city, the municipal court shall be presided over by a municipal judge who shall be appointed by the governing body for a specified term of not less than two years and who may be reappointed for a subsequent term; and

WHEREAS, the state statute does not define a minimum period for any subsequent term of appointment of a municipal judge; and

WHEREAS, the City’s home rule charter is silent on the length of any term of appointment of a municipal judge; and

WHEREAS, Section 2-3-30 of the Centennial Municipal Code provides that the City Council shall appoint the Presiding Municipal Judge for a term of not less than two (2) years but is silent on the length of any subsequent term; and

WHEREAS, the City Council desires to amend Section 2-3-30 to clarify that the term of any subsequent appointment following an initial two year appointment term is discretionary with the City Council; and

WHEREAS, Section 2-3-50(a) of the Centennial Municipal Code, governing the compensation of the presiding municipal judge, provides that the compensation of the presiding municipal judge shall be a fixed annual salary payable in conformity with the City’s payroll practices; and

WHEREAS, the City Council desires to amend Section 2-3-50(a) to allow for flexibility in the methodology used to compensate the presiding municipal judge in recognition that the relationship between the City and such person can be, and currently is, an independent contractor, and not an employment, relationship.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTENNIAL, COLORADO:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Repeal and Replacement of Section 2-3-30. Section 2-3-30 of the Centennial Municipal Code is hereby repealed and replaced to read as follows in its entirety:

Sec. 2-3-30. - Appointment of Municipal Judges.

The City Council, by resolution, shall appoint the Presiding Municipal Judge to preside over the Municipal Court for an initial term of not less than two (2) years and, in its discretion, for subsequent term(s), the length of which shall be determined by the City Council. One or more Assistant Municipal Judge(s) may be appointed by the City Council for a term as necessary to transact the business of the Court. Upon a vacancy in the position of the Presiding Municipal Judge, the City Council can appoint a new Presiding Municipal Judge for the remainder of the unexpired term.

Section 3. Repeal and Replacement of Section 2-3-50(a). Section 2-3-50(a) of the Centennial Municipal Code is hereby repealed and replaced to read as follows in its entirety (Section 2-3-50(b) not being affected by this repeal and replacement):

Sec. 2-3-50. - Compensation of Judges.

- (a) The compensation of the Presiding Municipal Judge shall be in such amount and on such other terms as set by agreement entered into between the City and the Presiding Municipal Judge or by resolution of the City Council, as amended from time to time.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE 14th DAY OF NOVEMBER, 2016.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of November 14, 2016 and ordered published one time by title only in *The Villager* newspaper on _____, 2016, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 21st DAY OF NOVEMBER, 2016, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of November 21, 2016, and ordered published by title only, one time by *The Villager* newspaper on _____, 2016 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Interim City Manager
Andrew Firestone, AICP, Assistant City Manager

FROM: Steven Greer, Community Development Director

DATE OF MEETING: November 14, 2016

DATE OF SUBMITTAL: October 14, 2016

SUBJECT: Resolution No. 2016-R-67, A Resolution Approving A First Amendment to the Professional Services Agreement with SAFEbuilt, Inc. for Building Services

1. Executive Summary:

Staff is presenting Resolution No. 2016-R-67 for an amendment to the Professional Services Agreement (PSA) with SAFEbuilt to add an hourly rate for a Planning Technician and expand the duties defined within Exhibit C - Enhanced Services.

2. Discussion:

The Community Development Department has experienced an increased demand for planning services from SAFEbuilt because of recent development activity and employee turnover. Amending the PSA would further define the needed planning services to ensure a high level of responsiveness to our customers and add more selection to the type and cost associated with the employee needed for the job. The Enhanced Services may include, but are not limited to:

1. Reviewing and managing the review and approval processes for land development applications to ensure consistency with City codes and regulations;
2. Reviewing building permits for consistency with applicable City codes and regulations, including review and processing of fence, sign and accessory structure permits;
3. Providing assistance and support for other planning projects within the Community Development Department as requested by the City; and
4. Inspecting development approved by issued permits.

Although much of these Enhanced Services already exist within the current PSA providing this added flexibility in our workforce has been successful in reducing costs associated with hiring full time staff. However, as the City grows and the needs for continued levels of service increase the Community Development Department will re-evaluate the need for increasing permanent staffing levels during each budget cycle.

3. Recommendation:

Staff recommends City Council approve Resolution 2016-R-67 amending the Professional Services Agreement with SAFEbuilt, Inc. for building services.

4. Alternatives:

City Council may choose to approve or deny the resolution request.

5. Fiscal Impact:

None. Enhanced Services costs are offset by employee turnover and building permit fees.

6. Next Steps:

If City Council approves Resolution 2016-R-67, Staff will amend the Enhance Services portion of the Professional Services Agreement with SAFEbuilt, Inc. for building services.

7. Previous Actions:

Council approved the 2016 Professional Services Agreement with SAFEbuilt on December 7, 2015.

8. Suggested Motion:

MOTION FOR APPROVAL: I MOVE TO APPROVE RESOLUTION NO. 2016-R-67, A RESOLUTION APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFEbuilt, INC.FOR BUILDING SERVICES.

MOTION FOR DENIAL: I MOVE TO DENY RESOLUTION NO. 2016-R-67, A RESOLUTION APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFEbuilt, INC.FOR BUILDING SERVICES.

9. Attachments:

Attachment 1: Resolution 2016-R-67

Attachment 2: First Amendment PSA Building Services

**CITY OF CENTENNIAL,
COLORADO**

RESOLUTION NO. 2016-R-67

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CENTENNIAL
APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES
AGREEMENT WITH SAFEUILT INC. FOR BUILDING SERVICES**

WHEREAS, the City of Centennial is authorized to contract for performance of necessary public services including building inspection; and

WHEREAS, by Resolution 2015-R-76, the City approved a Professional Services Agreement with SAFEuilt, Inc. (SAFEuilt”) for building plans review, building permitting, building inspection and contractor licensing services (“PSA”); and

WHEREAS, pursuant to the PSA, the City, through its Community Development Director, has authority to request that SAFEuilt provide additional enhanced services to assist the City in providing building and other services under the direction of the City’s Community Development Department; and

WHEREAS, Enhanced Services under the PSA are set forth in Exhibit C, which has included supplemental development review planning services; and

WHEREAS, the City desires to amend Exhibit C and the PSA, to provide that such supplemental development review services also may include services to be provided by a Planning Technician at an hourly rate less than the rate paid for planner services, which services may include review and processing of permit applications such as fence, sign and accessory structure permits.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Centennial, as follows:

Section 1. The City Council hereby (a) approves the First Amendment to the Professional Services Agreement for Building Services in substantially the form attached hereto as Exhibit A, (b) authorizes the City Attorney and the Mayor to make such changes as may be required to the extent they do not materially increase the obligations of the City, and (c) authorizes the Mayor to execute the same.

Section 2. This resolution shall be effective upon its adoption.

ADOPTED by a vote of ____ in favor and ____ against this ____ day of _____,
2016.

By: _____
Cathy A. Noon, Mayor

ATTEST:

Approved as to Form:

By: _____
City Clerk or Deputy City Clerk

By: _____
For City Attorney's Office

Exhibit A
First Amendment to Professional Services Agreement for Building Services

**EXHIBIT A
FIRST AMENDMENT
PROFESSIONAL SERVICES AGREEMENT
BUILDING SERVICES - 2016
(Independent Contractor)**

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT ("First Amendment") is entered into by and between **SAFEbuilt, INC.** ("Contractor"), a Delaware corporation whose corporate office and principal place of business is 3755 Precision Drive, Suite 140, Loveland, Colorado 80538, and the **CITY OF CENTENNIAL, COLORADO** ("City"), a home rule municipality of the State of Colorado, whose address is 13133 E. Arapahoe Road, Centennial, Colorado 80012 and amends the Professional Services Agreement between the City and Contractor with an Effective Date of January 1, 2016 ("PSA"). Capitalized terms used herein shall have the meaning set forth in the PSA.

RECITALS AND REPRESENTATIONS

WHEREAS, the Parties entered into the PSA pursuant to which Contractor provides building plans review, permitting, inspection and contractor licensing Services to the City, and provides Enhanced Services upon request of the City, as such Enhanced Services are defined in Exhibit C to the PSA; and

WHEREAS, the City and Contractor desire to revise Exhibit C to add additional Enhanced Services and associated compensation rates to the Exhibit.

NOW, THEREFORE, in consideration of the terms and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is mutually agreed by and between the Parties as follows:

- 1.0 REPLACEMENT OF EXHIBIT C.** Exhibit C of the PSA is replaced in its entirety with First Amended Exhibit C attached hereto.
- 2.0 NO FURTHER AMENDMENTS.** All other terms and conditions of the PSA shall remain in effect, unaltered by this First Amendment.
- 3.0 AUTHORITY.** The individuals executing this First Amendment represent that they are expressly authorized to enter into this agreement on behalf of City of Centennial and the Contractor and bind themselves and their respective entities.

REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

SIGNATURE PAGE FOLLOW

THIS AGREEMENT is executed and made effective as provided above.

CITY OF CENTENNIAL, COLORADO

By: _____
Cathy A. Noon, Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk or Deputy City Clerk

For City Attorney's Office

DEPARTMENT OF ORIGATION: Community Development Department

FINANCE DEPARTMENT REVIEW:

Finance has reviewed this agreement and the funds:

- ☐ *are appropriated and available for this agreement.*
- ☐ *are not available for this agreement.*

☐ *Other:* _____.

By: _____

Budgeted Item/Account: _____

DEPARTMENT/POSITION RESPONSIBLE FOR ADMINISTRATION OF CONTRACT:

Community Development Department Director

Contractor: SAFEbuilt, Inc.

By: _____

Title: _____

**FIRST AMENDED EXHIBIT C
ENHANCED SERVICES**

ENHANCED SERVICE	COMPENSATION FOR SUCH ENHANCED SERVICE																				
<p>Supplemental Development Review Planning and Other Services.</p> <p>Review of land development applications, to include without limitation fence, sign and accessory structure permit applications at request of and with support from Community Development staff in accordance with the City’s codes and regulations. This Enhanced Service is intended to supplement existing City resources during periods of increased demand for planning services and as may occur through employee turnover. The Enhanced Service may include, but is not limited to:</p> <ul style="list-style-type: none">i. Reviewing and managing the review and approval processes for land development applications to ensure consistency with City codes and regulations.ii. Reviewing building permits for consistency with applicable City codes and regulations.iii. Providing assistance and support for other planning projects within the Community Development Department as requested by the City.iv. Inspecting development approved by issued permits. <p>Whenever the Director orders Enhanced Services under this Section, the number of hours, assigned staff level with associated compensation (from list in column on right) and timeframes for performing the Enhanced Services, or such similar parameters as may be appropriate, shall be put in writing by the Director at the time the Enhanced Service is authorized.</p>	<p>SAFEbuilt shall be compensated on a time and materials basis with hourly rates for supplemental planning services as follows:</p> <table><tr><th>Title</th><th>2016-2017</th><th>2018-2020</th></tr><tr><td>Planning Manager</td><td>\$145 per hour</td><td>\$153 per hour</td></tr><tr><td>Senior Planner</td><td>\$113 per hour</td><td>\$118 per hour</td></tr><tr><td>Planner</td><td>\$ 98 per hour</td><td>\$103 per hour</td></tr><tr><td>Assistant Planner</td><td>\$ 74 per hour</td><td>\$ 78 per hour</td></tr><tr><td>Planning Tech</td><td>\$ 50 per hour</td><td>\$ 55 per hour</td></tr></table>			Title	2016-2017	2018-2020	Planning Manager	\$145 per hour	\$153 per hour	Senior Planner	\$113 per hour	\$118 per hour	Planner	\$ 98 per hour	\$103 per hour	Assistant Planner	\$ 74 per hour	\$ 78 per hour	Planning Tech	\$ 50 per hour	\$ 55 per hour
Title	2016-2017	2018-2020																			
Planning Manager	\$145 per hour	\$153 per hour																			
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Planner	\$ 98 per hour	\$103 per hour																			
Assistant Planner	\$ 74 per hour	\$ 78 per hour																			
Planning Tech	\$ 50 per hour	\$ 55 per hour																			
<p>On-line Zoning Code Module.</p> <p>Development, deployment, and maintenance of an on-line zoning code module.</p>	<p>SAFEbuilt shall be compensated \$4,000 as a one-time setup cost with no annual licensing fee. Maintenance, including the integration of new code amendments into the on-line zoning code module, shall be compensated at the same hourly rates as the Supplemental Development Review Planning Enhanced Service above.</p>																				
<p>Records Conversion.</p> <p>Work with the City to convert paper building files stored off-site into electronic file storage. The Enhanced Service shall include:</p> <ul style="list-style-type: none">i. Assignment of project management responsibility to the Contractor;ii. Retrieval of building files that are currently	<p>SAFEbuilt shall be compensated an annual lump sum amount of \$6,500 per year for each year that this Enhanced Service is authorized by the City</p>																				

<p>stored off-site;</p> <p>iii. Review of those records against the City's records retention schedule in collaboration with staff from the Community Development Department and the City Clerk's Office;</p> <p>iv. Destruction of those of documents that are not considered records in a manner acceptable to the City Clerk's Office;</p> <p>v. Conversion of residential and commercial records to an electronic file format with a standardized naming convention for archival purposes; and</p> <p>vi. Transfer of the converted electronic records to the City in a manner and format acceptable to the City.</p> <p>vii. For each year that the Enhanced Service is provided, the Contractor shall provide the Enhanced Service for the following years of building files:</p> <ol style="list-style-type: none"> 1. Year 1: 2002, 2003, and 2004 building files 2. Year 2: 2005, 2006, and 2007 building files 3. Year 3: 2008, 2009, and 2010 building files 4. Year 4: 2011, 2012, and 2013 building files 5. Year 5: 2014 to present building files 	
<p>Home Improvement Program.</p> <p>A. The Contractor shall administer the City's Home Improvement Program (the "HIP Program"), including the processing of all refunds associated with the HIP Program in coordination with the appropriate personnel within the City's Community Development and Finance Departments.</p> <p>B. The Contractor shall work with the City to review the types of eligible permits and the minimum valuation for the existing HIP Program. As directed by the City, changes to the HIP Program may be implemented to improve the effectiveness of the program over time.</p> <p>C. The Contractor shall coordinate with both the City's Community Development and Communications Departments on the advertising, marketing, and promotion of the HIP Program.</p> <p>D. The Contractor shall promote the City's Home Improvement Program as part of any homeowner based educational outreach it conducts with citizens, homeowner and civic associations, or the general public.</p> <p>E. <u>Specific performance measurements.</u></p> <ol style="list-style-type: none"> 1. On a quarterly basis, the Contractor shall report participation in the HIP Program, including the number of eligible building permits and the number of permits by permit type that participated in the HIP Program. 2. Recognizing that the advertising, marketing, and promotion of the HIP Program is a shared responsibility of the Contractor and the City, that the City determines the permits that are eligible for the HIP Program, and that a homeowner must elect to participate in the City, events that are not entirely under the control of the Contractor, the Contractor shall strive to increase participation in the HIP 	<p>For each year that this Enhanced Service is authorized by the City, SAFEbuilt shall perform such Enhanced Service within the parameters set forth in this Exhibit (as may be amended by separate written agreement of the parties which may be executed on behalf of the City by the Community Development Director) and shall not be entitled to any additional compensation.</p>

<p>Program from historic rates to the following:</p> <ul style="list-style-type: none"> • Year 1: 5.0% of eligible permits • Year 2: 7.5% of eligible permits • Year 3: 10.0% of eligible permits • Year 4: 12.5% of eligible permits • Year 5: 15.0% of eligible permits 	
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**MINUTES OF THE
CENTENNIAL CITY COUNCIL
Study Session**

6:00 PM

Monday, November 07, 2016

A Study Session of the City Council was held on this date in the City Council Chambers at 13133 E. Arapahoe Road, Centennial, Colorado. A full and timely notice of this meeting had been posted and a quorum was present.

A. Call to Order

Mayor Noon called the meeting to order at 6:08 PM.

B. Roll Call

Those present were:

- Mayor Noon
- Council Member Turley
- Council Member Moon
- Council Member Piko
- Council Member Lucas
- Council Member Truhlar
- Council Member Gotto
- Council Member Whelan
- Council Member Penaloza

Those absent were: None

Also present were:

- Elisha Thomas, Interim City Manager
- Bob Widner, City Attorney
- Andy Firestine, Assistant City Manager
- Eric Eddy, Assistant to the City Manager
- Jill Hassman, Assistant City Attorney
- Travis Greiman, Public Works Director
- Derek Holcomb, Deputy Director of Community Development
- Steve Greer, Public Works Director
- Sheri Chadwick, Communications Director
- Jeff Cadiz, Finance Revenue Manager
- Alex Greiman, Planner II
- Neil Marciniak, Economic Development Manager
- Jody Alioto, Executive Assistant
- Barb Setterlind, City Clerk
- Ebony Vivens, Deputy City Clerk

C. Kings Point Update; 6:07 PM

Derek Holcomb, Deputy Director of Community Development, and Travis Greiman, Public Works Director, presented. Consensus to direct staff to return with options for a road closure.

D. Adjourn

There being no further business to discuss, the Study Session was adjourned at 7:00 PM.

Respectfully Submitted,

Barbara Setterlind, City Clerk



**MINUTES OF THE
CENTENNIAL CITY COUNCIL
Regular City Council Meeting**

7:00 PM

Monday, November 07, 2016

A Regular Meeting of the City Council was held on this date in the City Council Chambers at 13133 E. Arapahoe Road, Centennial, Colorado. A full and timely notice of this meeting had been posted and a quorum was present.

1. Call to Order

Mayor Noon called the meeting to order at 7:15 PM.

2. Roll Call

Those present were:

- Mayor Noon
- Council Member Moon
- Council Member Piko
- Council Member Lucas
- Council Member Turley
- Council Member Truhlar
- Council Member Gotto
- Council Member Whelan
- Council Member Penaloza

Those absent were: None

Also present were:

- Elisha Thomas, Interim City Manager
- Bob Widner, City Attorney
- Andy Firestine, Assistant City Manager
- Eric Eddy, Assistant to the City Manager
- Jill Hassman, Assistant City Attorney
- Travis Greiman, Public Works Director
- Derek Holcomb, Deputy Director of Community Development
- Steve Greer, Public Works Director
- Sheri Chadwick, Communications Director
- Jeff Cadiz, Finance Revenue Manager
- Alex Greiman, Planner II
- Neil Marciniak, Economic Development Manager
- Barb Setterlind, City Clerk
- Ebony Vivens, Deputy City Clerk

3. Pledge of Allegiance

Mayor Noon led the Pledge of Allegiance.

4. Scheduled Presentations

a. Update from Emergency Services and Law Enforcement; 7:18 PM

Chief Tasker, Littleton Fire Rescue gave a brief report.

Sheriff Dave Walcher, and Chief Glenn Thompson, Arapahoe County Sheriff's Office, gave a brief report.

5. Public Comment; 7:28 PM

Bill Jacobs 7265 S. Himalaya Way, representing Antelope HOA, stated residents should be able to access the schools, but supported closing S. Ireland Way.

Ben Molk, 7282 S. Himalaya Way, discussed traffic concerns in the area of the Kings Point development.

Linda Lehrer, 7352 S. Ireland Court, stated she supported closing S. Ireland Way.

R. Michael Smith, 7406 S Ireland Way, thanked Council for their support with the Kings Point concerns.

Bob Bogourk, 7225 S. Ireland Way, felt the City of Aurora should help with traffic concerns generated by the Kings Point development.

John VanKirk, 7265 S. Yampa Street, expressed concerns with traffic near the Kings Point development.

Rich Linke, 6224 S. Blackhawk Circle, would like to see bike lanes on Long Way.

David Faesdale, 7854 S. Chenango, discussed traffic and road condition concerns within the Chenango neighborhood.

David Ludlow, 8144 S. Ireland Way. Stated he opposes any types of road closure.

Also in attendance in support of the South Ireland road closure, but chose not to speak:

Beth Spalding Laverenz

Frances K Megel

Michael Lemmers

Molly Lemmers

Kim Haege

Don Clymer

Mike Shirak

Diane Shiark

Tom Bowen 2766 E. Peakview, discussed concerns with coyotes in his neighborhood and an incident with his dog.

6. Consideration of Communications, Proclamations and Appointments (None)

CONSENT AGENDA

Council Member Whelan moved to Approve CONSENT AGENDA. Council Member Piko seconded the motion.

With Mayor Noon, Council Member Moon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penaloza voting AYE, and (None) voting NAY; Absent: 0. THE MOTION Passed.

7. Consideration of Ordinances on First Reading (None)

8. Consideration of Resolutions

- a. **RESOLUTION NO. 2016-R-73 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO RATIFYING THE APPROVAL OF THE BANK OF AMERICA SITE PLAN, CASE NO. LU-16-00040**
- b. **RESOLUTION NO. 2016-R-71 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CENTENNIAL, COLORADO APPOINTING TWO REGULAR MEMBERS AND TWO ALTERNATE MEMBERS TO THE OPEN SPACE ADVISORY BOARD AND DISSOLVING THE APPOINTMENT COMMITTEE**
- c. **RESOLUTION NO. 2016-R-70, A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CENTENNIAL, COLORADO, APPOINTING DEPUTY CITY MANAGER ELISHA THOMAS AS THE INTERIM CITY MANAGER AND APPROVING AN EMPLOYMENT AGREEMENT**

9. Consideration of Other Items

a. Minutes

- i. **Study Session October 17, 2016**
- ii. **Regular Meeting October 17, 2016**

DISCUSSION AGENDA

10. Consideration of Resolutions

a. Public Hearings

- i. **RESOLUTION NO. 2016-R-75 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING AND ADOPTING THE CITY OF CENTENNIAL REVISED 2016 BUDGET AND APPROVING A SUPPLEMENTAL APPROPRIATION AND ADOPTING THE 2017 PROPOSED BUDGET AND APPROPRIATING SUMS OF MONEY**

Jeff Cadiz, Revenue Manager, presented; 8:06 PM.

Citizen Budget Committee Member Dale Knipp presented.

Mayor Noon opened the Public Hearing, seeing no one present wishing to speak, the Public Hearing was closed.

Council Member Whelan made a Motion to Approve RESOLUTION NO. 2016-R-75 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING AND ADOPTING THE CITY OF CENTENNIAL REVISED 2016 BUDGET AND APPROVING A SUPPLEMENTAL APPROPRIATION AND ADOPTING THE 2017 PROPOSED BUDGET AND APPROPRIATING SUMS OF MONEY. Council Member Turley seconded the motion.

With Mayor Noon, Council Member Moon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penaloza voting AYE, and (None) voting NAY; Absent: 0. THE MOTION Passed.

11. Consideration of Land Use Cases

- a. ORDINANCE NO. 2016-O-16, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTY LOCATED NORTH OF EAST SMOKY HILL ROAD AND APPROXIMATELY 600 FEET EAST OF SOUTH DANUBE STREET (19491 EAST SMOKY HILL ROAD) FROM NEIGHBORHOOD CONSERVATION (NC2A) TO GENERAL COMMERCIAL (CG) UNDER THE 2011 LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP

Michael Gradis, Planner II presented; 8:32 PM.

Lee Holman, representing Smokey Hill United Methodist Church, made a brief presentation.

Mayor Noon opened the Public Hearing.

Dave Lisson, 6643 S. Pontiac Court, stated he was in support of the rezoning and discussed present issues with the current sign.

Bob Glover, 5319 S. Genoa, representing Smoky Ridge HOA, stated the HOA did not support the rezoning, but felt the Church needed a new sign.

Bob Given, 16532 E. Powers Place, stated he supported the rezoning and felt there wouldn't be a decrease in home values for the neighbors.

Alice Newsome, 5483 S. Dunkirk Way, stated she opposed the rezoning.

Mark Britton, 5438 S. Fundy Circle, stated he supported the church getting a new sign.

Crystal Dunkin, 4824 S. Kirk Way, spoke on behalf of the Boy Scout troops that meet at the Church and expressed support of the rezoning.

David Newsome, 5483 S. Dunkirk Way, stated he represented fifteen homeowners that live behind the church and they did not support the rezoning.

Rosemary Simmons, 5455 S. Dunkirk Way, stated she did not support the rezoning.

Seeing no one else wishing to speak, the Public Hearing was closed.

Council Member Whelan moved to approve ORDINANCE NO. 2016-O-16, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTY LOCATED NORTH OF EAST SMOKY HILL ROAD AND APPROXIMATELY 600 FEET EAST OF SOUTH DANUBE STREET (19491 EAST SMOKY HILL ROAD) FROM NEIGHBORHOOD CONSERVATION (NC2A) TO GENERAL COMMERCIAL (CG) UNDER THE 2011 LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP. Council Member Lucas seconded the motion.

With Mayor Noon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penaloza voting AYE, and Council Member Moon voting NAY; Abstain: 0; Absent: 0. THE MOTION Passed.

12. Consideration of Ordinances

a. Public Hearings

Derek Holcomb, Deputy Director of Community Development, and Neil Marciniak, Economic Development Manager, presented both Ordinance 2016-O-11 and 2016-O-20.

Mayor Noon opened the Public Hearings for both Ordinance 2016-O-11 and 2016-O-20.

Gerri Cummins, 6841 S. Clermont Drive, representing CENCON, expressed some concerns with the LDC amendments.

Adam Righter, 55 Meade Lane, Englewood, CO, representing his ownership in the Heritage Place Shopping Center, stated he opposed the rezoning of his property.

Michele Vivas, 6491 S. Potomac Court, expressed concerns with the LDC amendments.

Jill Meekens, 6483 S. Albion St. representing 130 neighbors who oppose and submitted letters to Council, stated they were in opposition to the proposed LDC amendments that effect the Arapahoe Road corridor.

Xuehua Bai, 6505 S. Abilene Street, stated he supported the LDC amendments.

Andrea Suhaka, 6864 S Ulster Circle, stated she opposed the LDC amendments.

Richard Linke, 6244 S. Blackhawk Court, stated he opposed the LDC amendments and requested photo cameras be installed on Arapahoe Road due to the increased amount of red light infractions.

Seeing no none else present wishing to speak, the Public Hearing was closed.

i. ORDINANCE NO. 2016-O-20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTIES LOCATED AT THE NORTHEAST CORNER OF EAST ARAPAHOE ROAD AND SOUTH QUEBEC STREET AND AT THE NORTHEAST AND NORTHWEST CORNERS OF EAST ARAPAHOE ROAD AND SOUTH POTOMAC STREET FROM GENERAL COMMERCIAL (CG) TO ACTIVITY CENTER (AC) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP

Council Member Whalen made a Motion to Approve ORDINANCE NO. 2016-O-20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTIES LOCATED AT THE NORTHEAST AND NORTHWEST CORNERS OF EAST ARAPAHOE ROAD AND SOUTH POTOMAC STREET FROM GENERAL COMMERCIAL (CG) TO ACTIVITY CENTER (AC) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP. Council Member Turley seconded the motion.

With Mayor Noon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penaloza voting AYE, and Council Member Moon voting NAY; Absent: 0. THE MOTION Passed.

ii. ORDINANCE NO. 2016 O-11 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR.

Council Member Turley moved to continue the discussion on ORDINANCE NO. 2016 O-11 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR to November 14, 2016 at 7:00pm in Council Chambers. Council Member Turley seconded the motion.

Council Member Piko offered an amendment to bring back the Ordinance with the removal of drive-ins. Council Member Gotto seconded the amendment.

Mayor Noon moved to further amend to include the dimming gas station lights. Council Member Truhlar seconded the amendment.

With Mayor Noon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penaloza voting AYE, and Council Member Moon voting NAY; Absent: 0. THE MOTION Passed.

13. Consideration of Other Items

a. General

**i. Request for Two Volunteers to Serve on the Finance
Committees Ad Hoc Appointment Committee**

Council Members Lucas and Whelan volunteered to serve on the ad-hoc committee.

GENERAL BUSINESS

14. Other Matters as May Come Before Council (None)

15. Reports

a. City Manager

Elisha Thomas, Interim City Manager, made a brief report

b. City Attorney (None)

c. City Clerk

Barbara Setterlind, made a brief report

d. Council Members

Council Members Whelan, Turley, Gotto and Moon made brief reports.

16. Mayor's Report and Comments

Mayor Noon made a brief report.

17. Executive Session (None)

18. Adjourn

There being no further business to discuss, the Regular Meeting was adjourned at 12:30 AM.

Respectfully submitted,

Barbara Setterlind, City Clerk



Memo

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Andrew Firestine, Assistant City Manager
Steve Greer, Community Development Director

FROM: Derek Holcomb, AICP, Deputy Director of Community Development
Neil Marciniak, CECD, Economic Development Manager

DATE OF MEETING: November 14, 2016

DATE SUBMITTED: November 9, 2016

SUBJECT: REVISED Ordinance No. 2016-O-11: An Ordinance of the City Council of the City of Centennial, Colorado Amending Chapter 12 of the Municipal Code (Land Development Code) Related to the Central Arapahoe Road Corridor

1. Summary:

At the November 7, 2016 City Council meeting and public hearing regarding Ordinance No. 2016-O-11, Council provided Staff with direction to amend drive-in/drive-through restrictions and gasoline station lighting and approved a continuation of the agenda item to November 14, 2016. The table below summarizes revised Ordinance No. 2016-O-11.

1	NOT INCLUDED: Rezone certain parcels to Activity Center (AC) to preserve mixed-use development opportunities at Potomac/Arapahoe	Ordinance No. 2016-O-20 REZONING APPROVED AT POTOMAC/ARAPAHOE
2	Enhanced design standards for all projects developed on the Arapahoe Road corridor	Included in Ordinance No. 2016-O-11
3	Allow drive-through restaurants but not drive-in	Included in Ordinance No. 2016-O-11
4	Allow gasoline stations and convenience stores	Included in Ordinance No. 2016-O-11
5	Allow vehicle wash as an accessory use but not as a stand-alone use (Example of an accessory use: A gasoline station with a vehicle wash bay)	Included in Ordinance No. 2016-O-11
6	Allow minor vehicle repair but not on parcels adjacent to Arapahoe Road	Included in Ordinance No. 2016-O-11
7	Allow minor vehicle rental but not on parcels adjacent to Arapahoe Road	Included in Ordinance No. 2016-O-11
8	Allow vehicle sales as a conditional use on parcels that are five (5) acres or larger in size and with additional enhanced building design requirements – also requires auto brokers to meet same requirements as vehicle sales	Included in Ordinance No. 2016-O-11

The attached Ordinance No. 2016-O-11 contains all requested amendments to the LDC to implement the direction received from City Council on November 7, 2016.

2. Suggested Motions:

Suggested Motion for **Approval** – Ordinance 2016-O-11:

I MOVE TO **APPROVE** ORDINANCE NO. 2016 O-11, AS REVISED AND PRESENTED TO THE CITY COUNCIL ON NOVEMBER 14, 2016, WHICH IS AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR.

Suggested Motion for **Denial** – Ordinance 2016-O-11:

I MOVE TO **REJECT** ORDINANCE NO. 2016 O-11, AS REVISED AND PRESENTED TO THE CITY COUNCIL ON NOVEMBER 14, 2016, WHICH IS AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR.

3. Attachments:

Attachment 1: Ordinance 2016-O-11



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Interim City Manager
Steve Greer, Community Development Director

FROM: Derek Holcomb, AICP, Deputy Director of Community Development
Neil Marciniak, CEcD, Economic Development Manager

DATE OF MEETING: November 7, 2016

DATE OF SUBMITTAL: October 28, 2016

SUBJECT: Ordinance No. 2016-O-11: An Ordinance of the City Council of the City of Centennial, Colorado Amending Chapter 12 of the Municipal Code (Land Development Code) Related to the Central Arapahoe Road Corridor

Ordinance No. 2016-O-20: An Ordinance of the City Council of the City of Centennial, Colorado Rezoning Certain Properties Located at the Northeast Corner of East Arapahoe Road and South Quebec Street and at the Northeast and Northwest Corners of East Arapahoe Road and South Potomac Street from General Commercial (CG) to Activity Center (AC) Under the Land Development Code, and Amending the Official Zoning Map

1. **Executive Summary:**

Earlier this year, the Community Development and Economic Development Departments conducted multiple study session discussions with City Council and the Planning and Zoning Commission regarding potential Land Development Code (LDC) amendments related to the Central Arapahoe Road Corridor (the "Corridor"), including the rezoning of key parcels along the corridor from General Commercial (CG) to Activity Center (AC). At the July 18, 2016 Study Session, City Council authorized Staff to move forward with amendments to the LDC as summarized in this report and more fully described in Ordinance 2016-O-11 (Attachment 1). Council also authorized Staff to move forward with a separate ordinance rezoning specific parcels from General Commercial (CG) to Activity Center (AC), as more fully described in Ordinance 2016-O-20 (Attachment 2) and the attached Zoning Maps (Attachments 3 and 4).

At its September 28, 2016 regular meeting, the Planning and Zoning Commission recommended approval of Ordinance 2016-O-11 with no modifications. At its October 26, 2016 regular meeting, the Planning and Zoning Commission also recommended approval of Ordinance 2016-O-20 with no modifications. City Council is being asked to consider approval of Ordinances 2016-O-11 and 2016-O-20 at its November 7, 2016 regular meeting.

2. Discussion:

Background – Arapahoe Road Retail Corridor Study

In January 2016, City Council received the Arapahoe Road Retail Corridor Study (the “Study”, Attachment 5) which was completed through a partnership with the City’s Community Development Department, Economic Development Division and on-call retail consultant KP & Associates (Katy Press). Included with the Study was a summary memo outlining recommended next steps to capitalize on opportunities identified in the Study.

The Study examines, in the context of retail, existing conditions of Arapahoe Road, challenges and opportunities for retail development, impact of spacing and use restrictions currently in the LDC and recommendations for retaining and expanding quality retail along the Arapahoe Road corridor between Quebec Street and Parker Road. The Study found that opportunities exist to retain and expand quality retail through:

- Amendments to the LDC to allow currently restricted commercial uses;
- Facilitating reinvestment in key properties;
- Preserving mixed-use development opportunities at key nodes;
- Investments in placemaking creating stronger physical spaces along the Corridor; and
- Introducing higher density housing.

Additionally, the study found that specific benefits for the Arapahoe Road corridor include:

- Opportunities for mixed-use development at several key nodes along the Corridor;
- The high traffic volume nature of the Corridor makes it ideal for convenience retail uses (many of which are currently prohibited due to spacing restrictions from Arapahoe Road);
- Retailers along the Corridor would benefit from increased residential density in close proximity to the Corridor; and
- The Corridor could benefit from placemaking elements such as streetscape enhancements (medians, landscaping), wayfinding, signage, pedestrian facilities and other improvements that create a positive and unique identity for the Corridor.

Background – Existing Restrictions

In 2005, City Council adopted a series of ordinances which restricted several uses by creating spacing requirements from rights-of-way on Arapahoe Road, Jordan Road, Broncos Parkway and several intersections in the general Arapahoe Road corridor area. The restrictions were codified as part of the 2001 Land Development Code (the “Legacy LDC”) and carried over to the 2011 LDC. The uses restricted through the spacing requirements are:

- Restaurants with a drive-in or drive-thru;
- Convenience stores and gasoline stations;
- Vehicle sales, rental and service; and
- Vehicle wash.

Study Session Recap and Direction

Following City Council’s direction to capitalize on opportunities identified by the Study, Staff recommended a series of amendments to the LDC related to the Corridor. The amendments are supported by the Study and were crafted based on direction received from City Council and

Planning and Zoning Commission at three (3) study sessions earlier this year. The proposed amendments would restore the allowance for certain restricted uses along the Corridor and require high-quality development and provide mitigation for unappealing design elements (e.g. drive-through lanes, gasoline station canopies and vehicle repair bays) to protect and enhance the aesthetics of the Corridor. In general, the proposed amendments to the LDC remove the focus from 'what' can occur along the Central Arapahoe Road Corridor and instead focus on 'how' and 'where' development occurs, with an emphasis on high-quality development.

Following the final City Council Study Session on July 18, 2016, Council provided Staff with direction on each potential amendment alternative as illustrated in the table below:

1	Rezone certain parcels to Activity Center (AC) to preserve mixed-use development opportunities at key nodes along the Corridor (northeast corner Arapahoe/ Quebec and northeast/west corners Arapahoe/ Potomac)	Consensus to move forward for both locations
2	Implement a new set of enhanced design standards for the Corridor, including a building materials classification system and additional site design requirements to promote desirable development	Consensus to move forward (Update standards to provide building setback variability along the Corridor – no 'canyon effect')
3	Removal of spacing restrictions – drive-through and drive-in restaurants	Consensus to move forward
4	Removal of spacing restrictions – gasoline station / convenience store	Consensus to move forward
5	Removal of spacing restrictions – vehicle wash	Consensus to move forward (restrict from parcels directly abutting Arapahoe Road)
6	Removal of spacing restrictions – minor vehicle repair	Consensus to move forward (restrict from parcels directly abutting Arapahoe Road)
7	Removal of spacing restrictions – vehicle rental	Consensus to move forward (restrict from parcels directly abutting Arapahoe Road)
8	Removal of spacing restrictions – vehicle sales	Consensus to move forward (As a Conditional Use with enhanced building design requirements. Require auto broker to be included in the same definition as a typical dealership)

The attached Ordinances (2016-O-11 and 2016-O-20) contain all proposed LDC amendments and rezoning language to implement the direction received from City Council on July 18, 2016. The text highlighted in yellow in Ordinance 2016-O-11 (Attachment 1) represents the proposed new and modified language in the LDC. Ordinance 2016-O-20 (Attachment 2) proposes the rezoning of key parcels from CG to AC (northeast corner Quebec/Arapahoe and northeast/west corners Potomac/Arapahoe) and does not contain highlighted text.

Interactive Maps and 3-D Visuals

As previously shared with City Council, Staff has prepared a series of interactive maps for the Council's review and recap prior to the upcoming hearing on November 7, 2016. The interactive maps, including a 3-D fly-through of the corridor, are available at this link: <http://goo.gl/Pfdvzf> . The interactive maps include specific tabs providing the following information, as requested by Council:

- A visual representation of the area included in the Corridor;
- An interactive map illustrating all recent development activity (under construction, formally submitted, pre-submittal review, potential development, or vacant with no activity);
- An interactive map illustrating all drive-through convenience retail uses in the Corridor (both within Centennial and in other jurisdictions);
- An interactive map illustrating all vehicle sales uses in the Corridor (both within Centennial and in other jurisdictions);
- An interactive map illustrating all gasoline stations in the Corridor (both within Centennial and in other jurisdictions);
- A visual representation of the areas identified as 'opportunity sites' for rezoning to AC;
- An interactive map combining all of the maps above for viewing together; and
- *A 3-D video using Google Earth and the City's GIS Planimetrics software to present potential development along the vacant parcels in the Corridor.

***Note:** Since the 3-D video fly-through was initially created, a new 'Build-To Zone Frontage Requirement' table was inserted into Ordinance 2016-O-11 to ensure building setback variability along the Corridor, avoiding the 'canyon effect' that was discussed in previous meetings. The new table (Table 12-4-208(C)) sets a minimum and maximum percentage of the lot frontage that can contain a building in the Build-To Zone, thereby preventing a lot owner from constructing a building along the entire frontage in close proximity to Arapahoe Road.

Rezoning Review and Approval Criteria

Section 12-14-604(E) of the LDC shall be considered by the City Council in review of all rezoning applications. Section 12-14-604(E) states that all rezoning applications shall further the policy criteria listed below. Analysis of how the proposal to rezone the key nodes from CG to AC meets the requirements is provided below.

1. *Direct implementation of the Comprehensive Plan or an adopted Sub-Area Plan, or support for the implementation of such plans, for example, by providing for supportive land uses or intensities in the area of a Sub-Area Plan.*

The Arapahoe Urban Center Sub-Area Plan (AUC Plan) refers to the northeast corner of E. Arapahoe Rd. and S. Quebec St. as a "dynamic, mixed-use commercial district" and supports the rezoning of the area to promote enhanced "...activity along Arapahoe Road."

Rezoning this property from CG to AC is supported by the goals and policies of the AUC Plan.

As mentioned previously, the Arapahoe Road Retail Corridor Study specifically identified two locations suitable for rezoning to AC, including the northeast corner E. Arapahoe Rd. and S. Quebec St. and the northeast/west corners E. Arapahoe R. and S. Potomac St. Both instances of rezoning are consistent with the City's Comprehensive Plan and adopted sub-area plans.

2. *Recognition of the limitations of existing and planned infrastructure, by thorough examination of the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.*

The Arapahoe/Quebec parcels are developed with no remaining vacant parcels. The proposed rezoning to AC will allow for commercial and mixed-use land uses that can be served by existing and planned future infrastructure.

The Arapahoe/Potomac parcels are vacant with the exception of one parcel containing a child-care facility. The proposed rezoning to AC will allow for commercial and mixed-use land uses that can be served by existing and planned future infrastructure. To the City's knowledge, water, sewer, and drainage systems are available to serve the Subject Property with proper design and approval from the governing districts.

3. *Assurance of compatibility between the proposed development, surrounding land uses (existing or planned), and the natural environment.*

The Arapahoe/Quebec parcels are in an area that consists of existing commercial and residential land uses. The proposed rezoning will allow for continued commercial and mixed-use development that is consistent and compatible with the surrounding area and uses.

The Arapahoe/Potomac parcels are also in an area that consists of existing commercial and residential land uses. There are both developed and vacant parcels in the surrounding area. The proposed rezoning will allow for continued commercial and mixed-use development that is consistent and compatible with the surrounding area and uses.

To the extent that any site contains a legally established use permitted through the CG zone district, but not permitted in the AC zone district (a legal, non-conforming use), said use shall be permitted to remain as-is pursuant to Article 12, *Nonconformities*, of the LDC.

4. *The efficient and adequate provision of public services.*

Adequacy of public services will be verified during the review of any future proposals for development of each respective site. It is anticipated that public services such as fire, water, and sanitation will be available and adequate to serve future development at both locations.

5. *Enhancement of convenience for the present and future residents of the City by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.*

Adoption of AC zoning at these two key nodes promotes the development patterns, character and uses envisioned by the Study, the Comprehensive Plan and adopted sub-area plans (including the AUC Plan), allowing compatible uses and structures that will create new employment, housing and leisure-time opportunities for the City.

6. *Protection of public health, safety, and welfare against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.*

The proposed rezoning from CG to AC for the two key nodes allows for commercial and mixed-use land uses consistent with the City's adopted long-range plans. As part of any future development of the properties, applications for development will have to demonstrate compliance with the development standards of the LDC for the AC zone district.

7. *Accessibility within the proposed development and appropriate connectivity or buffering or both between the development and existing adjacent uses.*

The surrounding land uses and structures at both nodes are consistent and compatible with the standards of the AC zone district. The AC zone district is intended to promote pedestrian-scale development that serves surrounding properties and neighborhoods and respects the context of the surrounding area. The LDC requires adequate connectivity and buffering with which future development must comply at both locations, including a landscaped bufferyard between the development and any adjacent residential properties.

8. *Minimization of disruptions to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements. Areas with significant natural resources shall not generally be rezoned to districts that allow development that would tend to degrade the resources unless adequate conditions are put in place to protect the resources.*

The Arapahoe/Quebec parcels are developed with no remaining vacant parcels. Accordingly, there are no significant topographical elements that would be disrupted through future development. Any future development of the Subject Property will have to demonstrate compliance with the LDC standards, including review and approval by the Southeast Metro Storm Water Authority (SEMSWA).

The Arapahoe/Potomac parcels are vacant with the exception of one parcel containing a child-care facility. The proposed rezoning to AC will allow for commercial and mixed-use land uses that can be served by existing and planned future infrastructure, and there are no significant topographical elements that would be disrupted through future development. Any future development of the Subject Property will have to demonstrate compliance with the LDC standards, including review and approval by SEMSWA.

9. *Assurance that the amenities and uses to be provided tend to enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions that include, but are not limited to:*
 - a. *The preservation of mountain views;*
 - b. *The creation of landscaped open areas;*
 - c. *The establishment of high-quality mixed-use centers that are accessible to residents of abutting neighborhoods;*
 - d. *The establishment of recreational areas; or*
 - e. *The creation of employment centers or large-scale retail or mixed-use centers in appropriate locations.*

The proposed rezoning of these two key nodes from CG to AC promotes the development patterns, character and uses envisioned by the Study, the Comprehensive Plan and adopted sub-area plans (including the AUC Plan), allowing compatible uses and structures that will create new employment, housing and leisure-time opportunities for the City.

3. Recommendations:

Staff recommends that the City Council approve Ordinances 2016-O-11 and 2016-O-20 with no modifications.

The Planning and Zoning Commission recommended approval of Ordinance 2016-O-11 with no modifications by a vote of 5-1 (Suhaka Nay). The sole dissenting vote was by Commissioner Suhaka, who stated that she did not feel the proposed LDC amendments would result in a positive change for the Corridor. The full audio minutes from the September 28, 2016 hearing are available at the link below. The discussion on this item begins at the 01:34:40 mark.

<http://sire.centennialcolorado.com/sirepub/mtgviewer.aspx?meetid=1180&doctype=AGENDA>

The Planning and Zoning Commission also recommended approval of Ordinance 2016-O-20 with no modifications by a vote of 6-1 (Sutherland Nay). The sole dissenting vote was by Commissioner Sutherland, who stated that he was in favor of a rezoning to AC at Arapahoe and Potomac, but was not in favor of a rezoning to AC at Arapahoe and Quebec at this time. The full audio minutes from the October 26, 2016 hearing are available at the link below. The discussion on this item begins at the 25:27 mark.

<http://sire.centennialcolorado.com/sirepub/mtgviewer.aspx?meetid=1182&doctype=AGENDA>

4. Alternatives:

City Council has the following alternatives:

- City Council may approve Ordinance 2016-O-11 and/or Ordinance 2016-O-20 with modifications;
- City Council may deny Ordinance 2016-O-11 and/or Ordinance 2016-O-20; or
- City Council may continue the public hearing to a future date for additional research and discussion.

5. Fiscal Impact:

According to the Arapahoe Road Retail Corridor Study, capitalizing on opportunities identified in the Study will have a positive fiscal impact to the City of Centennial.

6. Next Steps:

Should Ordinance 2016-O-11 and Ordinance 2016-O-20 be approved by City Council, the LDC and the Official Zoning Map will be updated to reflect the changes set forth in the Ordinances, to occur after 30 days following final publication of approval of the Ordinances.

7. Previous Actions:

On March 14, 2016, City Council directed Staff to move forward with the proposed amendments related to the Central Arapahoe Road Corridor with additional discussion at a future session. Council's specific comments were incorporated into the proposed ordinance attached to this report.

On May 9, 2016, City Council reaffirmed its direction given to Staff to move forward with the proposed amendments related to the Central Arapahoe Road Corridor, but asked Staff to perform additional research related to vehicle sales uses and potential supplemental conditional use and design standards.

On July 18, 2016, City Council gave final authorization to Staff to move forward with an amendment to the LDC, as summarized in this report and more fully described in the attached ordinance.

On September 28, 2016, Planning and Zoning Commission recommended approval of Ordinance 2016-O-11 with no modifications (5-1).

On October 26, 2016, Planning and Zoning Commission recommended approval of Ordinance 2016-O-20 with no modifications (6-1).

8. Suggested Motions:

Ordinance 2016-O-11 (LDC Amendments Related to the Central Arapahoe Road Corridor)

Suggested Motion for Approval – Ordinance 2016-O-11:

I MOVE TO APPROVE ORDINANCE 2016-O-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR, AS OUTLINED IN THE STAFF REPORT DATED OCTOBER 28, 2016.

Suggested Motion for Approval with Amendments – Ordinance 2016-O-11:

I MOVE TO APPROVE ORDINANCE 2016-O-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR, AS OUTLINED IN THE STAFF REPORT DATED OCTOBER 28, 2016, WITH THE FOLLOWING AMENDMENTS:

Suggested Motion for Denial* - Ordinance 2016-O-11:

I MOVE TO DENY ORDINANCE 2016-O-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR, BASED ON THE FOLLOWING:

*In the event City Council seeks to deny the proposed ordinance in full, Staff recommends that the member of the Council making the motion to deny consult with the City Attorney prior to making said motion.

Ordinance 2016-O-20 (Small Scale City Initiated Rezoning of Key Parcels from CG to AC)

Suggested Motion for Approval – Ordinance 2016-O-20:

I MOVE TO APPROVE ORDINANCE 2016-O-20, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTIES LOCATED AT THE NORTHEAST CORNER OF EAST ARAPAHOE ROAD AND SOUTH QUEBEC STREET AND AT THE NORTHEAST AND NORTHWEST CORNERS OF EAST ARAPAHOE ROAD AND SOUTH POTOMAC STREET FROM GENERAL COMMERCIAL (CG) TO ACTIVITY CENTER (AC) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP, AS OUTLINED IN THE STAFF REPORT DATED OCTOBER 28, 2016.

Suggested Motion for Approval with Amendments – Ordinance 2016-O-20:

I MOVE TO APPROVE ORDINANCE 2016-O-20, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTIES LOCATED AT THE NORTHEAST CORNER OF EAST ARAPAHOE ROAD AND SOUTH QUEBEC STREET AND AT THE NORTHEAST AND NORTHWEST CORNERS OF EAST ARAPAHOE ROAD AND SOUTH POTOMAC STREET FROM GENERAL COMMERCIAL (CG) TO ACTIVITY CENTER (AC) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP, AS OUTLINED IN THE STAFF REPORT DATED OCTOBER 28, 2016, WITH THE FOLLOWING AMENDMENTS:

Suggested Motion for Denial* - Ordinance 2016-O-20:

I MOVE TO DENY ORDINANCE 2016-O-20, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTIES LOCATED AT THE NORTHEAST CORNER OF EAST ARAPAHOE ROAD AND SOUTH QUEBEC STREET AND AT THE NORTHEAST AND NORTHWEST CORNERS OF EAST ARAPAHOE ROAD AND SOUTH POTOMAC STREET FROM GENERAL COMMERCIAL (CG) TO ACTIVITY CENTER (AC) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP, BASED ON THE FOLLOWING:

*In the event City Council seeks to deny the proposed ordinance in full, Staff recommends that the member of the Council making the motion to deny consult with the City Attorney prior to making said motion.

9. Attachments:

Attachment 1: Ordinance 2016-O-11

Attachment 2: Ordinance 2016-O-20

Attachment 3: Zoning Map (Arapahoe and Quebec Parcels)

Attachment 4: Zoning Map (Arapahoe and Potomac Parcels)

Attachment 5: Arapahoe Road Retail Corridor Study

Attachment 6: Interactive Maps, link: <http://goo.gl/Pfdvzf>

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2016-O-11

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE
MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO
THE CENTRAL ARAPAHOE ROAD CORRIDOR**

WHEREAS, pursuant to Article 23, Title 31 of the Colorado Revised Statutes, the City of Centennial (“City”) has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City Council has adopted the 2011 Land Development Code (“LDC”) by enactment of Ordinance No. 2010-O-13 and Ordinance No. 2011-O-14; and

WHEREAS, the LDC is codified as Chapter 12 of the Centennial Municipal Code; and

WHEREAS, through the implementation of the LDC, the City staff has identified the need for additional changes to the Municipal Code and to the LDC in the nature of housekeeping or clean-up revisions and certain substantive changes related to design and development standards for properties within the Central Arapahoe Road Corridor, as defined, and changes to the limited use standards for select commercial uses.

WHEREAS, at a duly noticed public hearing, the City of Centennial Planning and Zoning Commission recommended the proposed changes to the LDC to the City Council for approval; and

WHEREAS, in conformance with the LDC, the public hearings before Planning and Zoning Commission and City Council were properly noticed, including publication in *The Villager*; and

WHEREAS, the City Council has determined that the adoption of this Ordinance is legislative in nature and will further the public health, safety and welfare of the residents of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:

Section 1. The foregoing recitals are affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Table 12-2-303 *Commercial, Recreation, and Amusement Uses*, is amended to separate Vehicle Sales, Rental, and Service into three (3) separate land uses and to remove Light Automobile Service from the combined land use of Light Automobile Service/Gas Station in the Land Use table, as follows:

Table 12-2-303 Commercial, Recreation, and Amusement Uses														
P = Permitted Use; T = Permitted in Traditional Neighborhood Developments Only; L = Limited Use; C = Conditional Use; - = Prohibited Use														
Land Use	Zoning District													Additional Standards
	AG	RS	RA	RU	NC	NI	CG	AC	UC	BP	I	ED	OSR	
Commercial Uses														
Agricultural Support and Other Rural Services	P	-	-	-	-	-	-	-	-	-	-	-	-	NA
Alcoholic Beverage Sales	-	-	T	T	-	-	L	L	L	L	L	-	-	Sec. 12-2-408
Bed and Breakfast	P	-	T	T	-	-	P	P	-	-	-	-	-	NA
Commercial Lodging	-	-	-	-	-	-	P	P	P	P	-	-	-	
Commercial Retail	-	-	T	T	-	-	P ¹	P ¹	P ¹	L ¹	L ¹	-	-	Sec. 12-2-408, Appendix F: JPA Development Standards – as limited in Appendix F
24-Hour Commercial Retail	-	-	-	-	-	-	C	C	C	C	C	-	-	
Heavy Retail	-	-	-	-	-	-	L	-	-	-	L	-	-	
Kennel	P	-	-	-	-	-	L	-	-	-	P	-	-	
Gasoline Station/Convenience	-	-	-	-	-	-	L	-	-	L	L	-	-	Sec. 12-4-203
Mixed-Use	-	-	T	T	-	-	L	P	P	-	-	-	-	Sec. 12-2-408, Appendix F: JPA Development Standards – as limited in Appendix F
Office	-	-	T	T	-	-	P	P	P	P	L	-	-	
Restaurant; No Drive-In or Drive-Through	-	-	T	T	-	-	P	P	P	P	L	-	-	
Restaurant; Drive-In	-	-	-	-	-	-	L	-	-	L	L	-	-	
Restaurant; Drive-Through	-	-	-	-	-	-	L	-	-	L	L	-	-	
24-Hour Restaurant, No Drive-In or Drive-Through	-	-	-	-	-	-	C	C	C	C	C	-	-	
24-Hour Restaurant, Drive-In or Drive-Through	-	-	-	-	-	-	C	-	-	C	C	-	-	
Services, Commercial and Personal	-	-	T	T	-	-	P	P	P	P	-	-	-	NA
Vehicle Rental	-	-	-	-	-	-	L	-	-	L	L	-	-	Sec. 12-2-408
Vehicle Sales	-	-	-	-	-	-	C	-	-	-	-	-	-	
Vehicle Service/Repair	-	-	-	-	-	-	L	-	-	L	L	-	-	
Vehicle Wash	-	-	-	-	-	-	L	-	-	L	L	-	-	Sec. 12-4-204
Veterinarian (Dogs, Cats, Exotic Pets)	P	-	T	T	-	-	P	P	-	P	-	-	-	NA
Recreation and Amusement Uses														
Commercial Amusement, Indoor	-	-	T	T	-	-	P	P	P	P	L	-	-	Sec. 12-2-409
Commercial Amusement, Outdoor	-	-	-	-	-	-	L	-	-	C	-	-	L	
Recreation, Indoor	-	L	T / L	T / L	L	L	P	P	P	P	L	L	-	
Recreation, Outdoor	P	P	P	P	C	C	L	L	L	P	-	L	L	
Sexually Oriented Businesses	-	-	-	-	-	-	-	-	-	-	L	-	-	Sec. 12-2-410
TABLE NOTE: ¹ Convenience stores are a limited use ("L"). See Section 12-2-408, Commercial Uses, for standards.														

Section 3. All references to Light Automobile Service/Gas Station shall be repealed and replaced with Gasoline Station/Convenience.

Section 4. Section 12-2-408, *Commercial Uses*, is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-2-408 Commercial Uses

- A. **Generally.** The standards of this Section apply to commercial uses that are specified in Table 12-2-303, Commercial, Recreation, and Amusement Uses, as "L" or "C." These standards are applied in addition to the other applicable standards of this LDC.

B. Alcoholic Beverage Sales.

1. Alcoholic beverage sales uses are permitted in the AC, CG, and UC districts if it is demonstrated that:
 - a. The alcoholic beverage sales use provides adequate on-site parking. A commercial retail liquor store shall provide parking for a retail land use. A tasting room or beer garden shall provide parking for an alcoholic beverage sales (bar) land use. All other office, manufacturing or storage areas related to the alcoholic beverage sales use shall provide parking for the applicable office, light industry or wholesale area; and
 - b. For breweries, wineries and distilleries, on-site production is limited to:
 - i. Breweries: 3,200 barrels of beer per year;
 - ii. Wineries: 5,000 cases of wine per year; or
 - iii. Distilleries: 50,000 proof gallons of spirit per year.All other breweries, wineries or distilleries with annualized production in excess of the abovementioned levels shall be classified as a light-industry and wholesale land use, and subject to the standards set forth in Sec. 12-2-415; and
 - c. A minimum of 25 percent of production is sold on-site.
2. Alcoholic beverage sales uses are permitted in the BP and I districts if it is demonstrated that:
 - a. The alcoholic beverage sales use meets all of the criteria in subsection B.1 (above); and
 - b. The alcoholic beverage sales use does not propose a commercial retail store that sells liquor or fermented malt beverages (sales intended for off-site consumption), unless the store principally sells items manufactured on-site (*e.g.*, distillery selling spirits at the factory).

C. Commercial Retail.

1. Commercial retail is permitted in the BP and I districts if it is demonstrated that:
 - a. The commercial retail use is subordinate to an institutional, office, light industrial, or industrial use in the same building, building complex, or campus, and is principally intended to serve the needs of the employees of the building, building complex, or campus (*e.g.*, hospital gift shop, professional plumbing or electrical supply store); or
 - b. The commercial retail use principally sells items that are manufactured on-site (*e.g.*, furniture maker selling furniture at the factory); or
 - c. The commercial retail use is incidental and accessory to another permitted use (*e.g.*, personal care products sold at a salon, hospital pharmacy).
2. 24-hour commercial retail is permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated

that, in addition to the other applicable standards of this Section, lights are dimmed at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of subsection C.9., of Section 12-14-601 shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.

D. **Heavy Retail.** Heavy retail in the CG and I districts is subject to the requirements of Table 12-2-408, *Spacing and Area Requirements for Selected Commercial Uses*, and the following requirements:

1. *Industrial District.*

- a. Heavy retail is permitted in the Industrial district if it is demonstrated that the use involves the sale of a single category of merchandise and is characterized by one or more of the following:
 - i. Outdoor displays that are larger in area than the footprint of the principal building;
 - ii. The lease or sale of goods or equipment to businesses that are permitted in the Industrial district; or
 - iii. The sale of goods that are manufactured on-site.
- b. The following heavy retail uses are examples of the types of heavy retail that are permitted in the industrial district:
 - i. Permanent retail operations that are located outside of enclosed buildings;
 - ii. Lumber and other building materials;
 - iii. Lawn, garden equipment, and related supplies stores;
 - iv. Heavy truck or recreational vehicle leasing or sales;
 - v. Manufactured home sales; and
 - vi. Industrial or construction equipment leasing or sales.
- c. The following types of heavy retail are not allowed in the Industrial district: warehouse clubs, super stores, and home centers.

2. *General Commercial District.*

- a. Required Access: The premises shall abut and draw access from an arterial or collector street.
- b. The following types of heavy retail are not allowed in the General Commercial District: heavy truck or recreational vehicle leasing or sales; manufactured home sales; industrial equipment leasing or sales; and lumber and other building materials sales if the outdoor storage or display area is larger than 30 percent of the footprint of the principal building.

E. **Kennel.** Kennels are permitted in the CG district if it is demonstrated that:

1. For kennels that are more than 300 feet from property that is zoned or used for residential purposes:
 - a. There are no outdoor dog runs on parcels that are less than one acre in area.
 - b. Dog runs will be used only during daylight hours.
 - c. Fences that enclose dog runs are not less than six feet in height, nor higher than the maximum permitted fence height for the underlying zone district.
 2. For kennels that are within 300 feet of property that is zoned or used for residential purposes:
 - a. There are no outdoor dog runs; and
 - b. The building is soundproofed such that no noise generated by the use is perceptible from the property line.
- F. **Gasoline Station/Convenience.** Gasoline Station/Convenience uses in the CG, BP, and I districts are subject to the design standards set out in Section 12-4-203, *Convenience Stores and Gas Stations*. In addition, Gasoline Station/Convenience uses in the Central Arapahoe Road Corridor are subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
- G. **Mixed Use.** Mixed Use is permitted in the CG district if it is demonstrated that:
1. If the development includes residential uses:
 - a. The residential uses are located above nonresidential uses in the same building;
 - b. If there are more than five dwelling units in the development, shared recreational amenities and/or landscaped outdoor area is provided for the use of the residents, as follows:
 - i. 6 to 50 units: 100 sf. per unit.
 - ii. 51 to 100 units: 5,000 sf., plus 50 sf. per unit in excess of 50 units.
 - iii. More than 100 units: 7,500 sf., plus 25 sf. per unit in excess of 100 units, but not less than three percent of the residential floor area.
 2. If the development includes uses that are indicated as "limited" or "conditional," the applicable limited or conditional use standards are met.
- H. **Office.** Office is permitted in the I district if it is associated with the conduct or administration of another use that is permitted in the district.
- I. **Restaurant, No Drive-In or Drive-Through.**
1. Restaurant, No Drive-In or Drive-Through is permitted in the I district if it is demonstrated that the restaurant is intended to serve employees within the I zoning district or an adjacent BP zoning district, and does not have signage that is visible from Arapahoe Road, Jordan Road, Yosemite Street, Broncos Parkway, Parker Road; or Peoria Street.

2. *24-Hour Restaurants without Drive-In or Drive-Through.* 24-hour restaurants without drive-in or drive-through facilities are permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated that, in addition to other applicable standards of this Section, the lights and illuminated signs are dimmed by 50 percent at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of subsection C.9., of Section 12-14-601 shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.

J. Restaurant, Drive-In or Restaurant, Drive-Through.

1. *General Commercial and Business Park Districts.* Restaurant, ~~Drive-In or Drive-Through~~ uses are permitted in the CG and BP districts, subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards* and the design standards set out in Section 12-4-202, *Drive-In or Drive-Through Restaurants*. All other Restaurant, Drive-In or Restaurant, Drive-Through uses are subject to the requirements of Section 12-4-202, *Restaurant, Drive-In or Restaurant Drive-Through*.
2. *Industrial Districts.* Restaurant, Drive-In or Restaurant, Drive-Through is permitted in the I district, provided that the restaurant is intended to serve employees within the I zoning district or an adjacent BP zoning district, and does not have signage that is visible from East Arapahoe Road, East Broncos Parkway, South Parker Road, South Peoria Street, or South Jordan Road. In addition, Restaurant, Drive-Through uses within the Central Arapahoe Road Corridor are subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
3. *24-Hour Restaurants with Drive-In or Drive-Through.* 24-hour restaurants with drive-in or drive-through facilities are permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated that, in addition to other applicable standards of this Section, all lights and illuminated signs are dimmed by 50 percent at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of 12-14-601(C)(9) shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.
4. New Restaurant, Drive-In uses are prohibited within the Central Arapahoe Road Corridor.

K. Vehicle Sales, Vehicle Rental, and Vehicle Service/Repair Uses.

1. *Existing Vehicle Sales Uses.* The following shall apply to a lawfully established and existing automobile or vehicle sales operations located as of December 18, 2016:
 - a. Section 12-2-408(J) shall not apply to an increase in the size of the existing operation provided that *either*:

- i. Such increase in the size of the operation is clearly described or identified within an approved Development Order approved prior to December 18, 2016; or
 - ii. Such increase in the size of the operation would not enlarge the overall land area of such existing operation by more than 10 percent and such expansion is approved by amendment of the Development Order, as may be required by the LDC.
 - b. Section 12-2-408(J) shall not apply to any Existing Vehicle Sales Uses in a manner that would:
 - i. Prevent, prohibit, or impair the ability of such existing operation to lawfully expand, enlarge, add, remove, relocate, reconstruct, renovate, or perform any other permitted modification of any existing or any new structure(s) or improvement(s) within the lot of the Existing Vehicle Sales Use as such lot existing on December 18, 2016, or as such lot may be subsequently expanded in accordance with the requirements above.
- 2. *Newly Established Vehicle Rental Uses.* The following shall apply to Vehicle Rental Uses established after December 18, 2016 within the applicable zoning district ("New Vehicle Rental Uses"):
 - a. *General Commercial (CG).* New Vehicle Rental Uses are permitted as follows:
 - i. Vehicles available for rent are limited to Passenger Vehicles only.
 - b. *Business Park (BP).* New Vehicle Rental Uses are permitted if all of the following are demonstrated:
 - i. Vehicles available for rent are limited to Passenger Vehicles only unless they are kept within a parking structure or enclosed building.
 - ii. If a parking structure is used, it is screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).
 - iii. Associated vehicle wash facilities comply with Section 12-4-204, *Vehicle Wash Facilities*.

- iv. Parking spaces that are used for storage of rental vehicles are not counted toward the number of required parking spaces.
- c. New Vehicle Rental Uses located within the Central Arapahoe Road Corridor are prohibited on parcels directly adjacent to Arapahoe Road and are subject to Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
- 3. *Newly Established Vehicle Sales Uses*. The following shall apply to Vehicle Sales Uses established after December 18, 2016 within the General Commercial (CG) zoning district (“New Vehicle Sales Uses”):
 - a. New Vehicle Sales Uses in the CG zone district are considered a Conditional Use and subject to the criteria of Section 12-14-601, *Conditional Use and Temporary Conditional Use Procedures*.
 - b. New Vehicle Sales Uses are subject to Section 12-4-207, *Non-Residential Design Standards* and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
- 4. *New Vehicle Service/Repair Uses*. The following shall apply to all new Vehicle Service/Repair uses established after December 18, 2016 located within the Central Arapahoe Road Corridor (“New Vehicle Service/Repair Uses”):
 - a. New Vehicle Service/Repair Uses are prohibited on parcels directly adjacent to Arapahoe Road and are subject to Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
- L. **Vehicle Wash**. The following shall apply to new Vehicle Wash Uses established after December 18, 2016 in the CG, BP, and I zoning districts (“New Vehicle Wash Uses”):
 - 1. New Vehicle Wash Uses (Principal Use) are prohibited within the Central Arapahoe Road Corridor. All other New Vehicle Wash Uses (Principal Use) are subject to the standards in Section 12-4-204, *Vehicle Wash Facilities*.
 - 2. New Vehicle Wash Uses (Accessory Use) are subject to the standards in Section 12-4-204, *Vehicle Wash Facilities* and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.

Section 5. Section 12-4-202, *Drive-In or Drive-Through Restaurants* is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-4-202 Restaurant, Drive-In or Restaurant, Drive-Through

- A. **Design Requirements**. The following requirements shall be met for all new or redeveloped drive-in restaurants or drive-through restaurants. Parcels located within the Central Arapahoe Road Corridor shall be governed by Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*. To the extent of conflict between this Section and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, Section 12-4-208 shall apply.
- B. **Access, Circulation and On-Site Parking**.

1. Access points and driveways shall be planned and shared among abutting properties to the greatest extent possible, and appropriate access easements shall be recorded.
2. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access shall be provided from the perimeter of the parcel proposed for development to the principal buildings. Sidewalks along the front façade and the sides of all principal buildings with public entrances shall be no less than seven feet in width.
3. Customer / employee parking shall be separated from driving activities and customer parking shall be located in the area with the highest accessibility to dining or sales areas.

C. Architectural Design.

1. Drive-in and drive-through restaurants shall maintain a consistent style and architectural theme. Architectural design, building materials, colors, forms, roof style and detailing should all work together to express a harmonious and consistent design.
2. 360-degree architectural treatment is required. Building design shall incorporate variation in building height, building mass, roof forms and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls.
3. Building elements shall not function as signage. Incorporation of franchise or business design elements unique or symbolic of a particular business shall be secondary to the overall architectural design.
4. Drive-in displays, ordering areas and parking canopies are permitted, but shall not serve as the singularly dominant feature on the site or as a sign or an attention-getting device.
5. Site furnishings shall be provided, including: bicycle racks, outdoor eating areas, trash receptacles, and benches. The style of the site furniture shall complement the overall design of the principal building and be of high quality.

D. Lighting Requirements. In addition to general lighting requirements specified in Division 6-7, *Exterior Lighting Standards*, the following specific lighting requirements apply:

1. Lighting for drive-in and drive-through restaurants shall be adequate only to facilitate the activities taking place in such locations and shall not be used to attract attention to the business.
2. The maximum level of illumination shall not exceed 20 foot candles anywhere on the site;
3. Where a drive-in or drive-through restaurant abuts property zoned or used for residential purposes, lights illuminating drive-in lanes, vehicle stacking areas, or the order / pick-up windows shall be shielded from residences and extinguished at the close of business.

E. Landscaping / Hardscaping.

1. *Landscaping*. All landscaping shall comply with Article 8, *Development Landscaping and Tree Protection*, which shall be minimum requirements. Additional landscaping may be required by the City to achieve the following purposes:
 - a. To buffer or enhance views;
 - b. To create or enhance entryways and public street appearance; and / or
 - c. To enhance the overall appearance of the drive-in or drive-through restaurant.
2. *Hardscaping*. Large expanses of concrete or asphalt are not permitted. The amount of unrelieved uninterrupted asphalt or pavement area shall be limited through the use of landscaping, contrasting colors and banding or pathways of alternative paving material. Points of vehicle and pedestrian conflict shall be clearly defined with textured and colored pavement or brick pavers or in another appropriate manner as determined by the City.

F. Operational Requirements.

1. *Trash Receptacles*. Trash receptacles shall be emptied on a regular basis so as to maintain a clean and orderly appearance.
2. *Ordering Systems / Speakers*. Drive-through ordering systems / speakers shall only be utilized for the purpose of communications between employees and customers and shall not negatively impact adjacent residential uses. Such systems shall be designed to direct the sound away from adjacent residential properties. No speaker shall be operated within 100 feet from an adjacent residentially zoned or used property.

Section 6. Section 12-4-203, *Convenience Stores and Gasoline Stations* is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-4-203 Convenience Stores and Gasoline Stations

- A. **Generally.** The standards of this Section apply to all convenience stores and light automobile service / gasoline stations in the City of Centennial. Limited or conditional use standards may also apply. See Section [12-2-303](#), *Commercial, Recreation, and Amusement Uses*, and Division [2-4](#), *Limited and Conditional Use Standards*.
- B. **Outdoor Displays.** Outdoor display, storage, or sale of merchandise, vehicles, trailers or other equipment on a permanent, temporary or seasonal basis shall not be permitted, except that items such as propane tanks and other merchandise not permitted to be stored inside may be located outside of the convenience stores or principal building of the light automobile service / gasoline station, if it does not include a convenience store. Soda, water and other vending machines shall be placed within a building.
- C. **Pump Islands and Fuel Dispensers.** Fuel pump islands associated with gasoline stations shall contain no more than two fuel dispensers per island.
 1. A gasoline station or convenience store with fuel sales may have a maximum of two fuel pump islands (four fuel dispensers) on a minimum one-half acre lot.

2. One fuel pump island, or two fuel dispensers, may be added for each additional 2,000 square feet of lot area, provided that the total number of fuel pump islands shall not exceed four per lot, and the total number of fuel dispensers shall not exceed 8 per lot.

D. Access, Circulation and On-Site Parking.

1. A convenience store or light automobile service / gasoline station shall be designed with sufficient drive aisles and parking areas to avoid potential conflicts between loading and unloading, trash collection and other facility operations, use of emergency access easements and fire lanes, and pedestrian access. On-site circulation shall be adequate to allow vehicles to stack in a line for fuel dispensing services without using or obstructing any portion of an adjacent sidewalk or right-of-way.
2. To the greatest extent possible, access points and driveways must be planned and shared between adjacent properties and access easements must be noted on the site plan. Convenience store and light automobile service / gasoline station designs that fail to provide or accommodate cross access to adjacent commercial or industrial parcels are discouraged.
3. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access must be provided from the perimeter of the property to the convenience store or light automobile service / gasoline station. Sidewalks in front of, or directly adjacent to the principal building must be no less than seven feet in width.

E. Building and Equipment Setbacks and Spacing. The following setbacks and spacing requirements shall supersede the corresponding setbacks of the applicable zoning district.

1. *Setbacks.*
 - a. Principal building, front and street side setbacks: 40 feet
 - b. Fuel dispensers, fuel pump islands, detached canopies, compressed air connections, and similar equipment, front and street side setbacks: 20 feet
2. *Spacing.* Fuel dispensers shall be set back a minimum of 20 feet from any other fuel dispenser located on a parallel pump island, as well as from the primary building and any building containing an accessory or secondary use. Such distance shall be measured from pump island to parallel pump island and from pump island to the curb surrounding the building or to the building itself, whichever is closer.
3. *Application to approved PDP or FDP.* In the event the requirements of this subsection conflict with the requirements contained in any approved preliminary development plan or final development plan or other requirement adopted by the City of Centennial, the most restrictive setback requirements shall apply.

F. Architectural Design.

1. A convenience store or gasoline station must maintain a consistent style and architectural theme. Architectural design, building materials, colors, forms, roof style and detailing should all work together to express a harmonious and

consistent design. This requirement includes fuel pump canopies, cashier booths, car wash and other accessory structures.

2. 360-degree architectural treatment is required. Building design must incorporate variation in building height, building mass, roof, entrance forms, and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls.
3. Building elements shall not function as signage. Incorporation of franchise or business design elements unique or symbolic of a particular business shall be secondary to the overall architectural design. Bold, brash, intense, fluorescent or metallic accent colors shall be used in limited application such as in signage.
4. Fuel pump canopies shall not serve as the dominant feature on the site or as a sign or an attention-getting device. Signs installed on canopies are wall signs for the purposes of Article 6, *Signs and Lighting*.
5. A canopy over fuel pumps may be erected subject to the following standards:
 - a. The canopy may be either attached or detached from the principal building.
 - b. The clearance of the canopy (from the surface of the ground to the underside of the canopy at its lowest point) shall not exceed 18 feet.
 - c. The canopy structure shall comply with all minimum building setback standards applicable to the principal structure.
 - d. The canopy structure shall not be enclosed.
 - e. The canopy shall utilize the same architectural and design treatment, including materials and colors, as the principal building.
 - f. A maximum of 25 percent of each canopy façade area visible from a public street may be internally illuminated. No portion of any canopy façade area may be externally illuminated. Each side of a fuel pump canopy shall be considered a separate façade area.
 - g. Intercom or speaker systems shall only be utilized for the purpose of communications between employees and customers and shall not negatively impact adjacent residential uses. Such systems shall be designed to direct the sound away from adjacent residential properties.

G. Lighting Requirements. In addition to general lighting requirements specified in Division 6-7, *Exterior Lighting Standards*, the following specific lighting requirements shall apply to convenience stores and gasoline stations:

1. Lighting levels for canopies shall be adequate only to facilitate the activities taking place in such locations and shall not be used to attract attention to the business. Under canopy lighting shall be designed to provide an average level of illumination not to exceed 20 foot candles with a maximum foot-candle reading beneath the canopy not exceeding 30 foot-candles.
2. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and are shielded

by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical.

3. Lights shall not be mounted on the top or sides of a canopy; however, the sides (banding) of a canopy may be internally illuminated.
4. Lights and illuminated signs must be dimmed by 50 percent at 11:00 PM.

H. Landscaping / Hardscaping and Site Furnishings.

1. *Landscaping*. All landscaping shall comply with Article 8, *Development Landscaping and Tree Protection*, which shall be minimum requirements. Additional landscaping may be required by the City to achieve the following purposes:
 - a. To buffer or enhance views;
 - b. To create or enhance entryways and public street appearance; and / or
 - c. To enhance the overall appearance of the convenience store or light automobile service / gas station.
2. *Hardscaping*. Large expanses of concrete or asphalt shall not be permitted. The amount of unrelieved uninterrupted asphalt or pavement area must be limited through the use of landscaping, contrasting colors and banding or pathways of alternative paving material. Points of vehicle and pedestrian conflict must be clearly defined with textured and colored pavement or brick pavers or in an appropriate manner as determined by the City.
3. *Site Furnishings*. Site furniture is required to be incorporated in the design of the convenience store or light automobile service / gasoline station. This includes bicycle racks (as required by Article 5, *Parking and Loading*), and trash receptacles and benches (at least one of each per frontage). The style of the site furniture must complement the overall design of the principal building, and the site furniture shall be made of high quality, low-maintenance durable materials.

I. Vehicle Wash Facility as Accessory Use.

1. *Generally*. A single-bay vehicle wash facility is allowed as an accessory use to a permitted convenience store or light automobile service / gasoline station, subject to any use restrictions imposed by a governing preliminary development plan or applicable zone district, and subject to the design standards contained in Section [12-4-204](#), *Vehicle Wash Facilities*, and any applicable limited or conditional use standard
2. *Water Recycling and Wastewater*.
 - a. All vehicle wash facilities accessory to a convenience store or gasoline station that obtained a certificate of occupancy or a temporary certificate of occupancy after June 6, 2005 shall be required to be equipped with, and shall maintain in operation, a water recycling system that will recycle not less than 50 percent of the water being used by such vehicle wash installation.

- b. An applicant for a convenience store or light automobile service / gasoline station with an accessory vehicle wash facility proposed for construction after June 6, 2005, shall submit its site plan or final development plan (as applicable) for review to the applicable water and wastewater providers to ensure appropriate and safe provision, use and discharge of water into the wastewater system and shall provide the City with evidence of its submittal to and response by the applicable water and wastewater providers.
3. *Existing Facilities.* Any operator of a vehicle wash facility that has obtained a certificate of occupancy or a temporary certificate of occupancy prior to June 6, 2005 shall be required to install, and maintain in operation, a water recycling system that will recycle not less than 50 percent of the water as a condition of any permit granted by the City of Centennial or any water service district within the City of Centennial to:
 - a. Enlarge the water tap, meter, or service line in any such vehicle wash facility; or
 - b. Demolish, destroy or remove and then replace more than 50 percent of the gross square footage of the floor area of the vehicle wash facility building as it exists on June 6, 2005, except for the purpose of repairing or replacing under floor heating equipment or water recycling equipment; or
 - c. Expand the gross square footage of the floor area of the vehicle wash facility building by more than 50 percent of the square footage of the vehicle wash facility building as it existed on June 5, 2005.

J. Operational Requirements.

1. Trash receptacles shall be emptied on a regular basis so as to maintain a clean and orderly appearance.
2. The performance of all minor automotive repair work associated with a light automobile service / gasoline station shall be wholly performed within an enclosed building or structure.
3. No exterior parking or storage of vehicles prior to, during, or following repair work shall be permitted on the site unless spaces for parking or storage of such vehicles are clearly illustrated on an approved site plan or final development plan (as applicable), and are limited to no more than three (3) spaces.
4. All vehicle parts, dismantled vehicles, and similar materials and all discarded materials such as tires, cans, and drums shall be stored within an enclosed building or totally screened from public view by a solid, opaque fence or wall.
5. Where a convenience store or light automobile service / gasoline station abuts property zoned or used for residential purposes, lights illuminating the fuel pumps, canopies or other areas of the site shall be extinguished at the close of business.

Section 7. Article 4, *Form and Design Standards*, is amended to include a new Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, for enhanced design standards for development along the Central Arapahoe Road Corridor, to read in full as follows:

Sec. 12-4-208 Central Arapahoe Road Corridor Design Standards

A. Generally. The standards of this Section apply to all development and redevelopment within the Central Arapahoe Road Corridor, as depicted in the Central Arapahoe Road Corridor Map (**Appendix G**), unless exempted by subsection B below.

1. For properties zoned Activity Center (AC), the Enhanced Design Standards of Division 4-4, *Form Standards for the AC District*, shall be used as a supplement to this Section and in the event of a conflict, the standards of this Section shall apply.
2. For properties zoned Urban Center (UC), the standards of this Section shall apply unless expressly addressed by an approved Regulating Plan.

B. Exemptions. The following are exempt from the requirements of this Section:

1. Routine maintenance and repair;
2. Interior remodeling of existing buildings;
3. Projects within an area covered by an approved Development Order provided that no amendment (other than an administrative amendment) to the Development Order is necessary; and
4. Projects for which a development application deemed complete by the City has been submitted prior to December 18, 2016.

C. Building Design.

1. *Building Placement.* Buildings shall be located as follows.
 - a. All principal buildings (excluding those within the AC and UC zone districts):
 - i. Shall be built to the Build-to Zone along East Arapahoe Road as listed in Table 12-4-208(C). This requirement may be varied by the Director for buildings over 50 feet in height on the south side of East Arapahoe Road to reduce shading on East Arapahoe Road.

Table 12-4-208(C) Build-To Zone Frontage Requirements				
Primary Street Frontage (Arapahoe Road)				
Lot Width (Primary Street Frontage)	0'-200'	201'-400'	401'-600'	601'-+
Linear Portion of the Build-To Zone That Must Contain Building Façade (Minimum)	40 percent	35 percent	30 percent	25 percent
Linear Portion of the Build-To Zone That Must Contain Building Façade (Maximum)	80 percent	70 percent	60 percent	50 percent
For a development site with more than one (1) building, Build-To Zone requirements may be met by a future phase. In such case, a conceptual rendering for the future condition may be required as part of the site plan for the first building.				

For a development site with more than one (1) parcel, Build-To Zone requirements may be met by using an aggregate of all parcels facing the Primary Street, subject to approval by the Director.

- ii. For corner lots, principal buildings shall comply with the Build-to Zone requirement in subsection (1)(a)(i) and Table 12-4-208(C) (above), and in addition a portion the principal building shall be built to the setback line along the secondary street forming the corner of the lot.
 - iii. Accessory Buildings and Structures shall not be located between the principal building and East Arapahoe Road.
 - b. For properties zoned UC and AC, the setback requirements of Division 4-3, *Form Standards for the UC District* and Division 4-4, *Form Standards for the AC District*, shall govern building placement.
2. *Building Materials.* Within the Central Arapahoe Road Corridor the following design standards shall apply:
- a. All buildings in the Central Arapahoe Road Corridor must incorporate three (3) substantially different building materials.
 - b. Materials shall appear authentic in their application.
 - c. Materials traditionally considered massive shall not float above light materials. Light materials shall be used only above heavier, darker and larger materials. Building massing and form shall be modulated to reduce bulk and create interest.
 - d. Masonry shall be wrapped around corners adequately to give the material depth and the appearance of a structural function.
 - e. Apply four-sided building design (see 12-4-207(C)(1), *Four-sided Design*).
 - f. Apply base, body and top compositional strategy (see 12-4-207(C)(3), *Vertical Articulation*).
 - g. A building material classification system will be implemented to require a specified minimum amount of quality materials.
 - i. **Class I.** A minimum of 50 percent (average) of all building facades must contain Class I materials (75 percent for facades facing Arapahoe Road), including:
 - 1. Fired clay brick;
 - 2. Natural stone;
 - 3. Natural wood; and/or
 - 4. Glass (transparent).
 - ii. **Class II.** A maximum of 50 percent (average) of all building facades may contain Class II materials (25 percent for facades facing Arapahoe Road) to serve as an architectural accent, including:

1. Split-face or ground-face block;
 2. Manufactured stone or tile;
 3. Cementitious stucco;
 4. Architectural metal; and/or
 5. Other similar materials, as approved by the Director.
 - iii. **Class III.** A maximum of 10 percent (average) of all building facades may contain Class III materials (not permitted on facades facing Arapahoe Road) to serve as an architectural accent, including:
 1. Exterior Insulation Finishing System (EIFS);
 2. Fiber cement board;
 3. Reflective glass;
 4. Textured architectural concrete; and/or
 5. Other similar materials, as approved by the Director.
 - iv. **Class IV.** Materials prohibited on commercial buildings, including:
 1. Untextured tilt-up or poured-in-place concrete
 2. Vinyl siding or other plastic material
 3. Materials not otherwise a Class I, II, or III, as determined by the Director.
3. *Design Elements.* Sites must provide mitigation for unappealing design elements to protect and enhance the aesthetics of the Central Arapahoe Road Corridor.
 - a. Drive-through lanes. Drive-through lanes associated with a commercial use must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting (above the height of the drive-through lane), to adequately screen the lane from public view from East Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
 - b. Trash containers. Trash containers shall not be visible from East Arapahoe Road. In addition:
 - i. All trash containers shall be fully enclosed by an opaque wall constructed to match or complement the building, to a height of at least one foot above the top of the dumpster;
 - ii. All trash enclosures shall contain gates that are not visible from East Arapahoe Road, or gates that face away from East Arapahoe Road,

which shall remain closed at all times except when the dumpster or garbage bins are being serviced; and

- iii. All trash enclosures not located behind the principal building shall be screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting.
- c. Mechanical Equipment Screening. All rooftop and grade-level mechanical equipment shall be screened from grade-level view. Soft water tanks, gas meters, venting, heating and air conditioning units, and electrical meters shall also be screened from public view. Screening shall be part of the articulation of the building and integrated into the building design. All vents greater than eight (8) inches in diameter shall also be screened. Screens shall be at least as high as the equipment they hide, and shall be constructed to match or complement the building.
- d. Vehicle Sales and Vehicle Rental inventory. Along the East Arapahoe Road frontage, vehicles cannot be located between the street and the principal building. Vehicle inventory must be displayed or stored beside or behind the principal building in relation to East Arapahoe Road and screened with a 40 percent opacity landscape bufferyard a minimum of three (3) feet in height at the time of planting.
- e. Gasoline canopies. In addition to the standards contained in Section 12-4-203, *Convenience Stores and Gasoline Stations*, all canopies associated with a Gasoline Station/Convenience use in the Central Arapahoe Road Corridor shall be placed on the interior side of the principal building (opposite of East Arapahoe Road).
- f. Vehicle Wash and Vehicle Service/Repair bays. Vehicle access bays associated with a Vehicle Wash or Vehicle Service/Repair use must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a continuous plant row, a minimum of three (3) feet in height at the time of planting (above the height of the drive-through lane), to adequately screen the bay(s) from public view from East Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
- g. Parking lots. Surface parking lots, both stand alone or associated with a commercial use, must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting, to adequately screen parked vehicles from public view from Arapahoe

Road. Vegetation used as a landscape bufferyard shall provide year-round screening.

- h. **Parking structures.** Parking structures, both standalone or associated with a commercial use, must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road);
 - ii. Placed beside the principal building and screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).
 - iii. If a standalone parking structure is the principal building, said structure shall be screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).
 - i. **Monument signage.** In addition to the standards contained in Section 12-6-402, *Detached Signs*, all permanent monument signs associated with a property or use in the Central Arapahoe Road Corridor shall be designed to mimic or complement the principal building. If no principal building exists, all monument signs shall be comprised solely of Class I or Class II materials. See 12-4-208(C)(2) for acceptable building materials.
4. *Enhanced Design Standards for Newly Established Vehicle Sales Uses.* The following shall apply to Vehicle Sales Uses established after December 18, 2016 (“New Vehicle Sales Uses”), and to all redeveloped Vehicle Sales Uses in the Central Arapahoe Road Corridor:
- a. New Vehicle Sales Uses cannot be located on any parcels less than five (5) acres in size, unless the parcel proposed for

development/redevelopment contained a lawfully established Vehicle Sales Use prior to December 18, 2016.

- b. New Vehicle Sales Uses shall contain principal buildings designed as follows:
 - i. All primary building facades (facades adjacent to a public street) shall be a minimum 30 feet in height;
 - ii. All primary building facades (facades adjacent to a public street) shall contain only Class I materials, with a minimum of 75 percent glass (fully transparent); and
 - iii. All secondary building facades (facades not adjacent to a public street) shall contain only Class I and Class II materials, with a minimum of 75 percent of each secondary facade containing Class I materials (no more than 25 percent of each secondary façade shall contain Class II materials). Class III and Class IV materials are prohibited.
- c. New Vehicle Sales Uses may only contain accessory buildings designed as follows:
 - i. All primary building facades (facades adjacent to a public street) shall be a minimum 20 feet in height, except where restricted so as not to exceed the height of the principal building;
 - ii. All primary building facades (facades adjacent to a public street) shall contain only Class I materials, with a minimum of 75 percent glass (fully transparent);
 - iii. All secondary building facades (facades not adjacent to a public street) shall contain only Class I and Class II materials, with a minimum of 75 percent of each secondary facade containing Class I materials (no more than 25 percent of each secondary façade shall contain Class II materials); and
 - iv. Class III and Class IV materials are prohibited.

Section 8. Article 16, *Definitions*, shall be amended to include in alphabetical order the following definitions inserted in the existing definitions section:

Build-to Zone is applicable to those properties within the Central Arapahoe Road Corridor. The Build-to Zone means the area within 25 feet of the front building setback (e.g. for CG and BP zone districts the Build-to Zone would be between 25 feet and 50 feet from the front property line).

Central Arapahoe Road Corridor is defined by properties along East Arapahoe Road from South Quebec Street to South Parker Road, as depicted in the Central Arapahoe Road Corridor Map (**Appendix G**).

Passenger Vehicle means a motor vehicle designed to carry ten (10) persons or less including the driver. Passenger Vehicle also includes motor vehicles designed to carry ten (10) persons or less that are constructed either on a truck chassis or with special features for occasional off-road use. Passenger Vehicle is intended to include the vehicles defined as passenger cars and multipurpose passenger vehicles by the National Highway Traffic Safety Administration, but not to include Commercial Vehicles (e.g. moving trucks).

Section 9. Article 16, *Definitions*, shall be amended to repeal and replace in alphabetical order the following definitions to read in full as follows:

Auto Repair means the repair and/or servicing of automobile or motor vehicle, including trailers, recreational vehicles, campers, motor homes, mobile homes, and motorcycles:

1. **Minor.** Repairs consisting of a minor nature, such as: tune up, oil change, chassis lubrication, tire change or repair, wheel alignment, muffler repair or installation that meet the following:
 - a. Repairs are made in fully enclosed bays;
 - b. Repairs are of a type that is typically completed in less than two hours (e.g., oil changes, brake service, tire rotation and balancing, glass repair, tire replacement, fluid checks and replacement, muffler service, spark plug replacement, and comparable services); and
 - c. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors.
2. **Major.** Vehicle repair consisting of assembly or disassembly of engine parts, body parts, transmission, chassis, axles, and/or the process of painting or upholstering and shall be considered a Heavy Industry use.

Gasoline Station/Convenience means:

1. Gasoline service stations (including gasoline service stations that are associated with grocery stores and warehouse clubs);
2. Gasoline convenience marts (a gasoline service station with a convenience store); or
3. Any combination of 1-or 2 above.

Heavy Industry means:

1. Primary processing or manufacturing or repair operations not specifically defined elsewhere in this Section, which involve:
 - a. An outside storage area that is larger than the area of the first floor of buildings on the same lot;
 - b. A material risk of environmental contamination, explosion, or fire;
 - c. Perceptible ground vibration;
 - d. Excessive noise or dust;
 - e. Emission of objectionable odors; or
 - f. More than 12 trips by semi-trailer trucks per day; or

2. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, or fossil fuels; or
3. Industries that are required to undergo New Source Review under the Federal Clean Air Act, or are subject to construction or operation permits pursuant to the Colorado Stationary Sources Program or Title V of the Federal Clean Air Act.
4. For illustrative purposes, heavy industrial uses include, but are not limited to:
 - a. Coal cleaning plants with thermal dryers; coke oven batteries; carbon black plants (furnace process); petroleum refineries; petroleum storage and transfer units (except retail gasoline stations); and bulk fuel dealers;
 - b. Facilities used in the primary or secondary production of metals (e.g., primary zinc, copper, or lead smelters; primary aluminum ore reduction plants; iron and steel mills; sintering plants; secondary metal production plants; and blacksmith shops);
 - c. Portland cement plants;
 - d. Sawmills and pulp mills;
 - e. Incinerators with the capacity to charge more than 250 tons of refuse per day;
 - f. Lime plants; phosphate rock processing plants; sulfur recovery plants; and hydrofluoric, sulfuric, or nitric acid plants;
 - g. Fossil fuel combustion (boilers or electricity generation) totaling more than 250 million BTUs per hour of heat input;
 - h. Fabrication of building materials such as countertops, drywall, and cut stone;
 - i. Fabrication of vehicles, manufacturing equipment, durable goods, or pre-fabricated homes or home components;
 - j. Auto Repair, Major;
 - k. Drycleaner processing plants that use PERC or comparable petrochemical solvents;
 - l. Meat or seafood processing plants;
 - m. Manufacture of glass products (e.g., window panes, bottles and jars), except hand-blown products;
 - n. Manufacture of plastic products (except assembly of parts that are manufactured elsewhere);
 - o. Plasma arc welding, cutting, gouging, surfacing, or spraying; gas welding (but not brazing); arc welding with equipment that is rated at more than 200 amps; TIG welding; and other heavy welding procedures (e.g., for structural steel, automotive body, or heavy equipment manufacture or repair);
 - p. Hot mix asphalt plants;
 - q. Regional wastewater utilities;
 - r. Fossil fuel power plants, waste-to-energy plants, and biomass plants that produce more than 100 megawatts of electricity; and
 - s. Fossil fuel peaker power plants.

Vehicle Wash means any area or business using self-service, in-bay automatic, or conveyor equipment for cleaning and washing motor vehicles, whether as a part of

another business operation (e.g., as an accessory use to a Gasoline Station/Convenience Use, a Vehicle Sales Use, a Vehicle Rental Use or a Vehicle Service/Repair Use), or as a standalone operation, of any type, on a commercial basis. The definition includes fleet and municipal in-bay automatic and conveyor vehicle wash facilities.

Section 10. Article 16, *Definitions*, the existing definition for Restaurant, Drive-In Or Drive-Through shall be repealed and replaced with two (2) separate definitions to read in full as follows:

Restaurant, Drive-In means a building or structure and adjoining parking area used for the purpose of providing food and/or beverages to the public for consumption while remaining in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside or outside the building or structure for the patrons.

Restaurant, Drive-Through means a building or structure used for the purpose of providing food and/or beverages to the public for delivery or pick-up from a counter or window designed and intended to be used to deliver food and/or beverages to patrons while within vehicles, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside for the patrons. Restaurant, Drive-Through shall not include delivery of food and/or beverages for consumption while remaining in vehicles parked upon the premises (see Restaurant, Drive-In).

Section 11. Article 16, *Definitions*, the existing definition for Vehicles Sales, Rental and Service shall be repealed and replaced with three (3) separate definitions to read in full as follows:

Vehicle Rental means uses that rent automobiles, light trucks, boats, and motorcycles, where the inventory is stored for any length of time on-site.

Vehicle Sales means uses that sell, purchase or lease automobiles, light trucks, boats, and motorcycles, where the inventory is stored for any length of time on-site.

Vehicle Service/Repair means uses that perform service on automobiles, light trucks, boats, motorcycles, or other similar vehicles, where the inventory is stored for any length of time on-site. The phrase includes Auto Repair, Minor, as defined, but does not include Auto Repair, Major, which is defined as Heavy Industry.

Section 12. Article 16, *Definitions*, the existing definition for Auto Broker shall be repealed in its entirety.

Section 13. Minor Edits, Corrections and Additions. The Community Development Director shall be authorized to make minor typographical, immaterial or grammatical corrections or additions to the Land Development Code, including but not limited to correcting spelling errors and adding, removing or supplementing materials that do not materially change the meaning or intent of the Land Development Code, without City Council approval, provided that

the Community Development Department shall maintain full and complete records of all such edits, additions and corrections made to the Land Development Code.

Section 14. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 15. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 16. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ____ DAY OF _____, 2016.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2016 and ordered published one time by title only in *The Villager* newspaper on _____, 2016, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____

City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2016, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2016, and ordered published by title only, one time by *The Villager* newspaper on _____, 2016 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2016-O-11

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE
MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO
THE CENTRAL ARAPAHOE ROAD CORRIDOR**

WHEREAS, pursuant to Article 23, Title 31 of the Colorado Revised Statutes, the City of Centennial (“City”) has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City Council has adopted the 2011 Land Development Code (“LDC”) by enactment of Ordinance No. 2010-O-13 and Ordinance No. 2011-O-14; and

WHEREAS, the LDC is codified as Chapter 12 of the Centennial Municipal Code; and

WHEREAS, through the implementation of the LDC, the City staff has identified the need for additional changes to the Municipal Code and to the LDC in the nature of housekeeping or clean-up revisions and certain substantive changes related to design and development standards for properties within the Central Arapahoe Road Corridor, as defined, and changes to the limited use standards for select commercial uses.

WHEREAS, at a duly noticed public hearing, the City of Centennial Planning and Zoning Commission recommended the proposed changes to the LDC to the City Council for approval; and

WHEREAS, in conformance with the LDC, the public hearings before Planning and Zoning Commission and City Council were properly noticed, including publication in *The Villager*; and

WHEREAS, the City Council has determined that the adoption of this Ordinance is legislative in nature and will further the public health, safety and welfare of the residents of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:

Section 1. The foregoing recitals are affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Table 12-2-303 *Commercial, Recreation, and Amusement Uses*, is amended to separate Vehicle Sales, Rental, and Service into three (3) separate land uses and to remove Light Automobile Service from the combined land use of Light Automobile Service/Gas Station in the Land Use table, as follows:

Table 12-2-303 Commercial, Recreation, and Amusement Uses														
P = Permitted Use; T = Permitted in Traditional Neighborhood Developments Only; L = Limited Use; C = Conditional Use; - = Prohibited Use														
Land Use	Zoning District													Additional Standards
	AG	RS	RA	RU	NC	NI	CG	AC	UC	BP	I	ED	OSR	
Commercial Uses														
Agricultural Support and Other Rural Services	P	-	-	-	-	-	-	-	-	-	-	-	-	NA
Alcoholic Beverage Sales	-	-	T	T	-	-	L	L	L	L	L	-	-	Sec. 12-2-408
Bed and Breakfast	P	-	T	T	-	-	P	P	-	-	-	-	-	NA
Commercial Lodging	-	-	-	-	-	-	P	P	P	P	-	-	-	
Commercial Retail	-	-	T	T	-	-	P ¹	P ¹	P ¹	L ¹	L ¹	-	-	Sec. 12-2-408, Appendix F: JPA Development Standards – as limited in Appendix F
24-Hour Commercial Retail	-	-	-	-	-	-	C	C	C	C	C	-	-	
Heavy Retail	-	-	-	-	-	-	L	-	-	-	L	-	-	
Kennel	P	-	-	-	-	-	L	-	-	-	P	-	-	
Gasoline Station/Convenience	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 12-4-203
Mixed-Use	-	-	T	T	-	-	L	P	P	-	-	-	-	Sec. 12-2-408, Appendix F: JPA Development Standards – as limited in Appendix F
Office	-	-	T	T	-	-	P	P	P	P	L	-	-	
Restaurant, No Drive-In or Drive-Through	-	-	T	T	-	-	P	P	P	P	L	-	-	
Restaurant, Drive-In	L	L	L	L	L	L	L	L	L	L	L	L	L	
Restaurant, Drive-Through	L	L	L	L	L	L	L	L	L	L	L	L	L	
24-Hour Restaurant, No Drive-In or Drive-Through	-	-	-	-	-	-	C	C	C	C	C	-	-	
24-Hour Restaurant, Drive-In or Drive-Through	-	-	-	-	-	-	C	-	-	C	C	-	-	NA
Services, Commercial and Personal	-	-	T	T	-	-	P	P	P	P	-	-	-	
Vehicle Rental	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 12-2-408
Vehicle Sales	L	L	L	L	L	L	C	L	L	L	L	L	L	
Vehicle Service/Repair	L	L	L	L	L	L	L	L	L	L	L	L	L	
Vehicle Wash	-	-	-	-	-	-	L	-	-	L	L	-	-	Sec. 12-4-204
Veterinarian (Dogs, Cats, Exotic Pets)	P	-	T	T	-	-	P	P	-	P	-	-	-	NA
Recreation and Amusement Uses														
Commercial Amusement, Indoor	-	-	T	T	-	-	P	P	P	P	L	-	-	Sec. 12-2-409
Commercial Amusement, Outdoor	-	-	-	-	-	-	L	-	-	C	-	-	L	
Recreation, Indoor	-	L	T / L	T / L	L	L	P	P	P	P	L	L	-	
Recreation, Outdoor	P	P	P	P	C	C	L	L	L	P	-	L	L	
Sexually Oriented Businesses	-	-	-	-	-	-	-	-	-	-	L	-	-	Sec. 12-2-410
TABLE NOTE: ¹ Convenience stores are a limited use ("L"). See Section 12-2-408, Commercial Uses, for standards.														

Section 3. All references to Light Automobile Service/Gas Station shall be repealed and replaced with Gasoline Station/Convenience.

Section 4. Section 12-2-408, *Commercial Uses*, is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-2-408 Commercial Uses

- A. **Generally.** The standards of this Section apply to commercial uses that are specified in Table 12-2-303, Commercial, Recreation, and Amusement Uses, as "L" or "C." These standards are applied in addition to the other applicable standards of this LDC.

B. Alcoholic Beverage Sales.

1. Alcoholic beverage sales uses are permitted in the AC, CG, and UC districts if it is demonstrated that:
 - a. The alcoholic beverage sales use provides adequate on-site parking. A commercial retail liquor store shall provide parking for a retail land use. A tasting room or beer garden shall provide parking for an alcoholic beverage sales (bar) land use. All other office, manufacturing or storage areas related to the alcoholic beverage sales use shall provide parking for the applicable office, light industry or wholesale area; and
 - b. For breweries, wineries and distilleries, on-site production is limited to:
 - i. Breweries: 3,200 barrels of beer per year;
 - ii. Wineries: 5,000 cases of wine per year; or
 - iii. Distilleries: 50,000 proof gallons of spirit per year.All other breweries, wineries or distilleries with annualized production in excess of the abovementioned levels shall be classified as a light-industry and wholesale land use, and subject to the standards set forth in Sec. 12-2-415; and
 - c. A minimum of 25 percent of production is sold on-site.
2. Alcoholic beverage sales uses are permitted in the BP and I districts if it is demonstrated that:
 - a. The alcoholic beverage sales use meets all of the criteria in subsection B.1 (above); and
 - b. The alcoholic beverage sales use does not propose a commercial retail store that sells liquor or fermented malt beverages (sales intended for off-site consumption), unless the store principally sells items manufactured on-site (*e.g.*, distillery selling spirits at the factory).

C. Commercial Retail.

1. Commercial retail is permitted in the BP and I districts if it is demonstrated that:
 - a. The commercial retail use is subordinate to an institutional, office, light industrial, or industrial use in the same building, building complex, or campus, and is principally intended to serve the needs of the employees of the building, building complex, or campus (*e.g.*, hospital gift shop, professional plumbing or electrical supply store); or
 - b. The commercial retail use principally sells items that are manufactured on-site (*e.g.*, furniture maker selling furniture at the factory); or
 - c. The commercial retail use is incidental and accessory to another permitted use (*e.g.*, personal care products sold at a salon, hospital pharmacy).
2. 24-hour commercial retail is permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated

that, in addition to the other applicable standards of this Section, lights are dimmed at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of subsection C.9., of Section 12-14-601 shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.

D. **Heavy Retail.** Heavy retail in the CG and I districts is subject to the requirements of Table 12-2-408, *Spacing and Area Requirements for Selected Commercial Uses*, and the following requirements:

1. *Industrial District.*

- a. Heavy retail is permitted in the Industrial district if it is demonstrated that the use involves the sale of a single category of merchandise and is characterized by one or more of the following:
 - i. Outdoor displays that are larger in area than the footprint of the principal building;
 - ii. The lease or sale of goods or equipment to businesses that are permitted in the Industrial district; or
 - iii. The sale of goods that are manufactured on-site.
- b. The following heavy retail uses are examples of the types of heavy retail that are permitted in the industrial district:
 - i. Permanent retail operations that are located outside of enclosed buildings;
 - ii. Lumber and other building materials;
 - iii. Lawn, garden equipment, and related supplies stores;
 - iv. Heavy truck or recreational vehicle leasing or sales;
 - v. Manufactured home sales; and
 - vi. Industrial or construction equipment leasing or sales.
- c. The following types of heavy retail are not allowed in the Industrial district: warehouse clubs, super stores, and home centers.

2. *General Commercial District.*

- a. Required Access: The premises shall abut and draw access from an arterial or collector street.
- b. The following types of heavy retail are not allowed in the General Commercial District: heavy truck or recreational vehicle leasing or sales; manufactured home sales; industrial equipment leasing or sales; and lumber and other building materials sales if the outdoor storage or display area is larger than 30 percent of the footprint of the principal building.

E. **Kennel.** Kennels are permitted in the CG district if it is demonstrated that:

1. For kennels that are more than 300 feet from property that is zoned or used for residential purposes:
 - a. There are no outdoor dog runs on parcels that are less than one acre in area.
 - b. Dog runs will be used only during daylight hours.
 - c. Fences that enclose dog runs are not less than six feet in height, nor higher than the maximum permitted fence height for the underlying zone district.
2. For kennels that are within 300 feet of property that is zoned or used for residential purposes:
 - a. There are no outdoor dog runs; and
 - b. The building is soundproofed such that no noise generated by the use is perceptible from the property line.

F. Gasoline Station/Convenience. Gasoline Station/Convenience uses in the CG, BP, and I districts are subject to the design standards set out in Section 12-4-203, *Convenience Stores and Gas Stations*. In addition, Gasoline Station/Convenience uses in the Central Arapahoe Road Corridor are subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.

G. Mixed Use. Mixed Use is permitted in the CG district if it is demonstrated that:

1. If the development includes residential uses:
 - a. The residential uses are located above nonresidential uses in the same building;
 - b. If there are more than five dwelling units in the development, shared recreational amenities and/or landscaped outdoor area is provided for the use of the residents, as follows:
 - i. 6 to 50 units: 100 sf. per unit.
 - ii. 51 to 100 units: 5,000 sf., plus 50 sf. per unit in excess of 50 units.
 - iii. More than 100 units: 7,500 sf., plus 25 sf. per unit in excess of 100 units, but not less than three percent of the residential floor area.
2. If the development includes uses that are indicated as "limited" or "conditional," the applicable limited or conditional use standards are met.

H. Office. Office is permitted in the I district if it is associated with the conduct or administration of another use that is permitted in the district.

I. Restaurant, No Drive-In or Drive-Through.

1. Restaurant, No Drive-In or Drive-Through is permitted in the I district if it is demonstrated that the restaurant is intended to serve employees within the I zoning district or an adjacent BP zoning district, and does not have signage that is visible from Arapahoe Road, Jordan Road, Yosemite Street, Broncos Parkway, Parker Road; or Peoria Street.

2. *24-Hour Restaurants without Drive-In or Drive-Through.* 24-hour restaurants without drive-in or drive-through facilities are permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated that, in addition to other applicable standards of this Section, the lights and illuminated signs are dimmed by 50 percent at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of subsection C.9., of Section 12-14-601 shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.

J. Restaurant, Drive-In or Restaurant, Drive-Through.

1. *General Commercial and Business Park Districts.* Restaurant, Drive-In or Drive-Through uses are permitted in the CG and BP districts, subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards* and the design standards set out in Section 12-4-202, *Drive-In or Drive-Through Restaurants*. All other Restaurant, Drive-In or Restaurant, Drive-Through uses are subject to the requirements of Section 12-4-202, *Restaurant, Drive-In or Restaurant Drive-Through*.
2. *Industrial Districts.* Restaurant, Drive-In or Restaurant, Drive-Through is permitted in the I district subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, provided that the restaurant is intended to serve employees within the I zoning district or an adjacent BP zoning district, and does not have signage that is visible from East Arapahoe Road, East Broncos Parkway, South Parker Road, South Peoria Street, or South Jordan Road. In addition, Restaurant, Drive-Through uses within the Central Arapahoe Road Corridor are subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
3. *24-Hour Restaurants with Drive-In or Drive-Through.* 24-hour restaurants with drive-in or drive-through facilities are permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated that, in addition to other applicable standards of this Section, all lights and illuminated signs are dimmed by 50 percent at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of 12-14-601(C)(9) shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.
4. New Restaurant, Drive-In uses are prohibited within the Central Arapahoe Road Corridor.

K. Vehicle Sales, Vehicle Rental, and Vehicle Service/Repair Uses.

1. *Existing Vehicle Sales Uses.* The following shall apply to a lawfully established and existing automobile or vehicle sales operations located as of December 18, 2016:
 - a. Section 12-2-408(J) shall not apply to an increase in the size of the existing operation provided that *either*:

- i. Such increase in the size of the operation is clearly described or identified within an approved Development Order approved prior to December 18, 2016; or
 - ii. Such increase in the size of the operation would not enlarge the overall land area of such existing operation by more than 10 percent and such expansion is approved by amendment of the Development Order, as may be required by the LDC.
 - b. Section 12-2-408(J) shall not apply to any Existing Vehicle Sales Uses in a manner that would:
 - i. Prevent, prohibit, or impair the ability of such existing operation to lawfully expand, enlarge, add, remove, relocate, reconstruct, renovate, or perform any other permitted modification of any existing or any new structure(s) or improvement(s) within the lot of the Existing Vehicle Sales Use as such lot existing on December 18, 2016, or as such lot may be subsequently expanded in accordance with the requirements above.
- 2. *Newly Established Vehicle Rental Uses.* The following shall apply to Vehicle Rental Uses established after December 18, 2016 within the applicable zoning district ("New Vehicle Rental Uses"):
 - a. *General Commercial (CG).* New Vehicle Rental Uses are permitted as follows:
 - i. Vehicles available for rent are limited to Passenger Vehicles only.
 - b. *Business Park (BP).* New Vehicle Rental Uses are permitted if all of the following are demonstrated:
 - i. Vehicles available for rent are limited to Passenger Vehicles only unless they are kept within a parking structure or enclosed building.
 - ii. If a parking structure is used, it is screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).
 - iii. Associated vehicle wash facilities comply with Section 12-4-204, *Vehicle Wash Facilities*.

- iv. Parking spaces that are used for storage of rental vehicles are not counted toward the number of required parking spaces.
 - c. New Vehicle Rental Uses located within the Central Arapahoe Road Corridor are prohibited on parcels directly adjacent to Arapahoe Road and are subject to Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
3. *Newly Established Vehicle Sales Uses*. The following shall apply to Vehicle Sales Uses established after December 18, 2016 within the General Commercial (CG) zoning district (“New Vehicle Sales Uses”):
- a. New Vehicle Sales Uses in the CG zone district are considered a Conditional Use and subject to the criteria of Section 12-14-601, *Conditional Use and Temporary Conditional Use Procedures*.
 - b. New Vehicle Sales Uses are subject to Section 12-4-207, *Non-Residential Design Standards* and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
4. *New Vehicle Service/Repair Uses*. The following shall apply to all new Vehicle Service/Repair uses established after December 18, 2016 located within the Central Arapahoe Road Corridor (“New Vehicle Service/Repair Uses”):
- a. New Vehicle Service/Repair Uses are prohibited on parcels directly adjacent to Arapahoe Road and are subject to Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.
- L. **Vehicle Wash**. The following shall apply to new Vehicle Wash Uses established after December 18, 2016 in the CG, BP, and I zoning districts (“New Vehicle Wash Uses”):
- 1. New Vehicle Wash Uses (Principal Use) are prohibited within the Central Arapahoe Road Corridor. All other New Vehicle Wash Uses (Principal Use) are subject to the standards in Section 12-4-204, *Vehicle Wash Facilities*.
 - 2. New Vehicle Wash Uses (Accessory Use) are subject to the standards in Section 12-4-204, *Vehicle Wash Facilities* and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.

Section 5. Section 12-4-202, *Drive-In or Drive-Through Restaurants* is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-4-202 Restaurant, Drive-In or Restaurant, Drive-Through

- A. Design Requirements. The following requirements shall be met for all new or redeveloped drive-in restaurants or drive-through restaurants. Parcels located within the Central Arapahoe Road Corridor shall be governed by Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*. To the extent of conflict between this Section and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, Section 12-4-208 shall apply.
- B. Access, Circulation and On-Site Parking.

1. Access points and driveways shall be planned and shared among abutting properties to the greatest extent possible, and appropriate access easements shall be recorded.
2. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access shall be provided from the perimeter of the parcel proposed for development to the principal buildings. Sidewalks along the front façade and the sides of all principal buildings with public entrances shall be no less than seven feet in width.
3. Customer / employee parking shall be separated from driving activities and customer parking shall be located in the area with the highest accessibility to dining or sales areas.

C. Architectural Design.

1. Drive-in and drive-through restaurants shall maintain a consistent style and architectural theme. Architectural design, building materials, colors, forms, roof style and detailing should all work together to express a harmonious and consistent design.
2. 360-degree architectural treatment is required. Building design shall incorporate variation in building height, building mass, roof forms and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls.
3. Building elements shall not function as signage. Incorporation of franchise or business design elements unique or symbolic of a particular business shall be secondary to the overall architectural design.
4. Drive-in displays, ordering areas and parking canopies are permitted, but shall not serve as the singularly dominant feature on the site or as a sign or an attention-getting device.
5. Site furnishings shall be provided, including: bicycle racks, outdoor eating areas, trash receptacles, and benches. The style of the site furniture shall complement the overall design of the principal building and be of high quality.

D. Lighting Requirements. In addition to general lighting requirements specified in Division 6-7, *Exterior Lighting Standards*, the following specific lighting requirements apply:

1. Lighting for drive-in and drive-through restaurants shall be adequate only to facilitate the activities taking place in such locations and shall not be used to attract attention to the business.
2. The maximum level of illumination shall not exceed 20 foot candles anywhere on the site;
3. Where a drive-in or drive-through restaurant abuts property zoned or used for residential purposes, lights illuminating drive-in lanes, vehicle stacking areas, or the order / pick-up windows shall be shielded from residences and extinguished at the close of business.

E. Landscaping / Hardscaping.

1. *Landscaping*. All landscaping shall comply with Article 8, *Development Landscaping and Tree Protection*, which shall be minimum requirements. Additional landscaping may be required by the City to achieve the following purposes:
 - a. To buffer or enhance views;
 - b. To create or enhance entryways and public street appearance; and / or
 - c. To enhance the overall appearance of the drive-in or drive-through restaurant.
2. *Hardscaping*. Large expanses of concrete or asphalt are not permitted. The amount of unrelieved uninterrupted asphalt or pavement area shall be limited through the use of landscaping, contrasting colors and banding or pathways of alternative paving material. Points of vehicle and pedestrian conflict shall be clearly defined with textured and colored pavement or brick pavers or in another appropriate manner as determined by the City.

F. Operational Requirements.

1. *Trash Receptacles*. Trash receptacles shall be emptied on a regular basis so as to maintain a clean and orderly appearance.
2. *Ordering Systems / Speakers*. Drive-through ordering systems / speakers shall only be utilized for the purpose of communications between employees and customers and shall not negatively impact adjacent residential uses. Such systems shall be designed to direct the sound away from adjacent residential properties. No speaker shall be operated within 100 feet from an adjacent residentially zoned or used property.

Section 6. Section 12-4-203, *Convenience Stores and Gasoline Stations* is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-4-203 Convenience Stores and Gasoline Stations

- A. **Generally.** The standards of this Section apply to all convenience stores and light automobile service / gasoline stations in the City of Centennial. Limited or conditional use standards may also apply. See Section 12-2-303, *Commercial, Recreation, and Amusement Uses*, and Division 2-4, *Limited and Conditional Use Standards*.
- B. **Outdoor Displays.** Outdoor display, storage, or sale of merchandise, vehicles, trailers or other equipment on a permanent, temporary or seasonal basis shall not be permitted, except that items such as propane tanks and other merchandise not permitted to be stored inside may be located outside of the convenience stores or principal building of the light automobile service / gasoline station, if it does not include a convenience store. Soda, water and other vending machines shall be placed within a building.
- C. **Pump Islands and Fuel Dispensers.** Fuel pump islands associated with gasoline stations shall contain no more than two fuel dispensers per island.
 1. A gasoline station or convenience store with fuel sales may have a maximum of two fuel pump islands (four fuel dispensers) on a minimum one-half acre lot.

2. One fuel pump island, or two fuel dispensers, may be added for each additional 2,000 square feet of lot area, provided that the total number of fuel pump islands shall not exceed four per lot, and the total number of fuel dispensers shall not exceed 8 per lot.

D. Access, Circulation and On-Site Parking.

1. A convenience store or light automobile service / gasoline station shall be designed with sufficient drive aisles and parking areas to avoid potential conflicts between loading and unloading, trash collection and other facility operations, use of emergency access easements and fire lanes, and pedestrian access. On-site circulation shall be adequate to allow vehicles to stack in a line for fuel dispensing services without using or obstructing any portion of an adjacent sidewalk or right-of-way.
2. To the greatest extent possible, access points and driveways must be planned and shared between adjacent properties and access easements must be noted on the site plan. Convenience store and light automobile service / gasoline station designs that fail to provide or accommodate cross access to adjacent commercial or industrial parcels are discouraged.
3. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access must be provided from the perimeter of the property to the convenience store or light automobile service / gasoline station. Sidewalks in front of, or directly adjacent to the principal building must be no less than seven feet in width.

E. Building and Equipment Setbacks and Spacing. The following setbacks and spacing requirements shall supersede the corresponding setbacks of the applicable zoning district.

1. *Setbacks.*
 - a. Principal building, front and street side setbacks: 40 feet
 - b. Fuel dispensers, fuel pump islands, detached canopies, compressed air connections, and similar equipment, front and street side setbacks: 20 feet
2. *Spacing.* Fuel dispensers shall be set back a minimum of 20 feet from any other fuel dispenser located on a parallel pump island, as well as from the primary building and any building containing an accessory or secondary use. Such distance shall be measured from pump island to parallel pump island and from pump island to the curb surrounding the building or to the building itself, whichever is closer.
3. *Application to approved PDP or FDP.* In the event the requirements of this subsection conflict with the requirements contained in any approved preliminary development plan or final development plan or other requirement adopted by the City of Centennial, the most restrictive setback requirements shall apply.

F. Architectural Design.

1. A convenience store or gasoline station must maintain a consistent style and architectural theme. Architectural design, building materials, colors, forms, roof style and detailing should all work together to express a harmonious and

consistent design. This requirement includes fuel pump canopies, cashier booths, car wash and other accessory structures.

2. 360-degree architectural treatment is required. Building design must incorporate variation in building height, building mass, roof, entrance forms, and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls.
3. Building elements shall not function as signage. Incorporation of franchise or business design elements unique or symbolic of a particular business shall be secondary to the overall architectural design. Bold, brash, intense, fluorescent or metallic accent colors shall be used in limited application such as in signage.
4. Fuel pump canopies shall not serve as the dominant feature on the site or as a sign or an attention-getting device. Signs installed on canopies are wall signs for the purposes of Article 6, *Signs and Lighting*.
5. A canopy over fuel pumps may be erected subject to the following standards:
 - a. The canopy may be either attached or detached from the principal building.
 - b. The clearance of the canopy (from the surface of the ground to the underside of the canopy at its lowest point) shall not exceed 18 feet.
 - c. The canopy structure shall comply with all minimum building setback standards applicable to the principal structure.
 - d. The canopy structure shall not be enclosed.
 - e. The canopy shall utilize the same architectural and design treatment, including materials and colors, as the principal building.
 - f. A maximum of 25 percent of each canopy façade area visible from a public street may be internally illuminated. No portion of any canopy façade area may be externally illuminated. Each side of a fuel pump canopy shall be considered a separate façade area.
 - g. Intercom or speaker systems shall only be utilized for the purpose of communications between employees and customers and shall not negatively impact adjacent residential uses. Such systems shall be designed to direct the sound away from adjacent residential properties.

G. Lighting Requirements. In addition to general lighting requirements specified in Division 6-7, *Exterior Lighting Standards*, the following specific lighting requirements shall apply to convenience stores and gasoline stations:

1. Lighting levels for canopies shall be adequate only to facilitate the activities taking place in such locations and shall not be used to attract attention to the business. Under canopy lighting shall be designed to provide an average level of illumination not to exceed 20 foot candles with a maximum foot-candle reading beneath the canopy not exceeding 30 foot-candles.
2. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and are shielded

by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical.

3. Lights shall not be mounted on the top or sides of a canopy; however, the sides (banding) of a canopy may be internally illuminated.

4. Lights and illuminated signs must be dimmed by 50 percent at 11:00 PM.

H. Landscaping / Hardscaping and Site Furnishings.

1. *Landscaping*. All landscaping shall comply with Article 8, *Development Landscaping and Tree Protection*, which shall be minimum requirements. Additional landscaping may be required by the City to achieve the following purposes:
 - a. To buffer or enhance views;
 - b. To create or enhance entryways and public street appearance; and / or
 - c. To enhance the overall appearance of the convenience store or light automobile service / gas station.
2. *Hardscaping*. Large expanses of concrete or asphalt shall not be permitted. The amount of unrelieved uninterrupted asphalt or pavement area must be limited through the use of landscaping, contrasting colors and banding or pathways of alternative paving material. Points of vehicle and pedestrian conflict must be clearly defined with textured and colored pavement or brick pavers or in an appropriate manner as determined by the City.
3. *Site Furnishings*. Site furniture is required to be incorporated in the design of the convenience store or light automobile service / gasoline station. This includes bicycle racks (as required by Article 5, *Parking and Loading*), and trash receptacles and benches (at least one of each per frontage). The style of the site furniture must complement the overall design of the principal building, and the site furniture shall be made of high quality, low-maintenance durable materials.

I. Vehicle Wash Facility as Accessory Use.

1. *Generally*. A single-bay vehicle wash facility is allowed as an accessory use to a permitted convenience store or light automobile service / gasoline station, subject to any use restrictions imposed by a governing preliminary development plan or applicable zone district, and subject to the design standards contained in Section [12-4-204](#), *Vehicle Wash Facilities*, and any applicable limited or conditional use standard
2. *Water Recycling and Wastewater*.
 - a. All vehicle wash facilities accessory to a convenience store or gasoline station that obtained a certificate of occupancy or a temporary certificate of occupancy after June 6, 2005 shall be required to be equipped with, and shall maintain in operation, a water recycling system that will recycle not less than 50 percent of the water being used by such vehicle wash installation.

- b. An applicant for a convenience store or light automobile service / gasoline station with an accessory vehicle wash facility proposed for construction after June 6, 2005, shall submit its site plan or final development plan (as applicable) for review to the applicable water and wastewater providers to ensure appropriate and safe provision, use and discharge of water into the wastewater system and shall provide the City with evidence of its submittal to and response by the applicable water and wastewater providers.
3. *Existing Facilities.* Any operator of a vehicle wash facility that has obtained a certificate of occupancy or a temporary certificate of occupancy prior to June 6, 2005 shall be required to install, and maintain in operation, a water recycling system that will recycle not less than 50 percent of the water as a condition of any permit granted by the City of Centennial or any water service district within the City of Centennial to:
 - a. Enlarge the water tap, meter, or service line in any such vehicle wash facility; or
 - b. Demolish, destroy or remove and then replace more than 50 percent of the gross square footage of the floor area of the vehicle wash facility building as it exists on June 6, 2005, except for the purpose of repairing or replacing under floor heating equipment or water recycling equipment; or
 - c. Expand the gross square footage of the floor area of the vehicle wash facility building by more than 50 percent of the square footage of the vehicle wash facility building as it existed on June 5, 2005.

J. Operational Requirements.

1. Trash receptacles shall be emptied on a regular basis so as to maintain a clean and orderly appearance.
2. The performance of all minor automotive repair work associated with a light automobile service / gasoline station shall be wholly performed within an enclosed building or structure.
3. No exterior parking or storage of vehicles prior to, during, or following repair work shall be permitted on the site unless spaces for parking or storage of such vehicles are clearly illustrated on an approved site plan or final development plan (as applicable), and are limited to no more than three (3) spaces.
4. All vehicle parts, dismantled vehicles, and similar materials and all discarded materials such as tires, cans, and drums shall be stored within an enclosed building or totally screened from public view by a solid, opaque fence or wall.
5. Where a convenience store or light automobile service / gasoline station abuts property zoned or used for residential purposes, lights illuminating the fuel pumps, canopies or other areas of the site shall be extinguished at the close of business.

Section 7. Article 4, *Form and Design Standards*, is amended to include a new Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, for enhanced design standards for development along the Central Arapahoe Road Corridor, to read in full as follows:

Sec. 12-4-208 Central Arapahoe Road Corridor Design Standards

A. Generally. The standards of this Section apply to all development and redevelopment within the Central Arapahoe Road Corridor, as depicted in the Central Arapahoe Road Corridor Map (**Appendix G**), unless exempted by subsection B below.

1. For properties zoned Activity Center (AC), the Enhanced Design Standards of Division 4-4, *Form Standards for the AC District*, shall be used as a supplement to this Section and in the event of a conflict, the standards of this Section shall apply.
2. For properties zoned Urban Center (UC), the standards of this Section shall apply unless expressly addressed by an approved Regulating Plan.

B. Exemptions. The following are exempt from the requirements of this Section:

1. Routine maintenance and repair;
2. Interior remodeling of existing buildings;
3. Projects within an area covered by an approved Development Order provided that no amendment (other than an administrative amendment) to the Development Order is necessary; and
4. Projects for which a development application deemed complete by the City has been submitted prior to December 18, 2016.

C. Building Design.

1. *Building Placement.* Buildings shall be located as follows.
 - a. All principal buildings (excluding those within the AC and UC zone districts):
 - i. Shall be built to the Build-to Zone along East Arapahoe Road as listed in Table 12-4-208(C). This requirement may be varied by the Director for buildings over 50 feet in height on the south side of East Arapahoe Road to reduce shading on East Arapahoe Road.

Table 12-4-208(C) Build-To Zone Frontage Requirements				
Primary Street Frontage (Arapahoe Road)				
Lot Width (Primary Street Frontage)	0'-200'	201'-400'	401'-600'	601'-+
Linear Portion of the Build-To Zone That Must Contain Building Façade (Minimum)	40 percent	35 percent	30 percent	25 percent
Linear Portion of the Build-To Zone That Must Contain Building Façade (Maximum)	80 percent	70 percent	60 percent	50 percent
For a development site with more than one (1) building, Build-To Zone requirements may be met by a future phase. In such case, a conceptual rendering for the future condition may be required as part of the site plan for the first building.				

For a development site with more than one (1) parcel, Build-To Zone requirements may be met by using an aggregate of all parcels facing the Primary Street, subject to approval by the Director.

- ii. For corner lots, principal buildings shall comply with the Build-to Zone requirement in subsection (1)(a)(i) and Table 12-4-208(C) (above), and in addition a portion the principal building shall be built to the setback line along the secondary street forming the corner of the lot.
 - iii. Accessory Buildings and Structures shall not be located between the principal building and East Arapahoe Road.
 - b. For properties zoned UC and AC, the setback requirements of Division 4-3, *Form Standards for the UC District* and Division 4-4, *Form Standards for the AC District*, shall govern building placement.
2. **Building Materials.** Within the Central Arapahoe Road Corridor the following design standards shall apply:
- a. All buildings in the Central Arapahoe Road Corridor must incorporate three (3) substantially different building materials.
 - b. Materials shall appear authentic in their application.
 - c. Materials traditionally considered massive shall not float above light materials. Light materials shall be used only above heavier, darker and larger materials. Building massing and form shall be modulated to reduce bulk and create interest.
 - d. Masonry shall be wrapped around corners adequately to give the material depth and the appearance of a structural function.
 - e. Apply four-sided building design (see 12-4-207(C)(1), *Four-sided Design*).
 - f. Apply base, body and top compositional strategy (see 12-4-207(C)(3), *Vertical Articulation*).
 - g. A building material classification system will be implemented to require a specified minimum amount of quality materials.
 - i. **Class I.** A minimum of 50 percent (average) of all building facades must contain Class I materials (75 percent for facades facing Arapahoe Road), including:
 - 1. Fired clay brick;
 - 2. Natural stone;
 - 3. Natural wood; and/or
 - 4. Glass (transparent).
 - ii. **Class II.** A maximum of 50 percent (average) of all building facades may contain Class II materials (25 percent for facades facing Arapahoe Road) to serve as an architectural accent, including:

1. Split-face or ground-face block;
 2. Manufactured stone or tile;
 3. Cementitious stucco;
 4. Architectural metal; and/or
 5. Other similar materials, as approved by the Director.
- iii. **Class III.** A maximum of 10 percent (average) of all building facades may contain Class III materials (not permitted on facades facing Arapahoe Road) to serve as an architectural accent, including:
1. Exterior Insulation Finishing System (EIFS);
 2. Fiber cement board;
 3. Reflective glass;
 4. Textured architectural concrete; and/or
 5. Other similar materials, as approved by the Director.
- iv. **Class IV.** Materials prohibited on commercial buildings, including:
1. Untextured tilt-up or poured-in-place concrete
 2. Vinyl siding or other plastic material
 3. Materials not otherwise a Class I, II, or III, as determined by the Director.
3. *Design Elements.* Sites must provide mitigation for unappealing design elements to protect and enhance the aesthetics of the Central Arapahoe Road Corridor.
- a. Drive-through lanes. Drive-through lanes associated with a commercial use must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting (above the height of the drive-through lane), to adequately screen the lane from public view from East Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
 - ~~b. Drive-In canopies. In addition to the standards contained in Section 12-4-202, Drive-On and Drive-Through Restaurants, all canopies associated with a Drive-In use in the Central Arapahoe Road Corridor shall be placed on the interior side of the principal building (opposite of East Arapahoe Road).~~
 - b. Trash containers. Trash containers shall not be visible from East Arapahoe Road. In addition:

- i. All trash containers shall be fully enclosed by an opaque wall constructed to match or complement the building, to a height of at least one foot above the top of the dumpster;
 - ii. All trash enclosures shall contain gates that are not visible from East Arapahoe Road, or gates that face away from East Arapahoe Road, which shall remain closed at all times except when the dumpster or garbage bins are being serviced; and
 - iii. All trash enclosures not located behind the principal building shall be screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting.
- c. Mechanical Equipment Screening. All rooftop and grade-level mechanical equipment shall be screened from grade-level view. Soft water tanks, gas meters, venting, heating and air conditioning units, and electrical meters shall also be screened from public view. Screening shall be part of the articulation of the building and integrated into the building design. All vents greater than eight (8) inches in diameter shall also be screened. Screens shall be at least as high as the equipment they hide, and shall be constructed to match or complement the building.
- d. Vehicle Sales and Vehicle Rental inventory. Along the East Arapahoe Road frontage, vehicles cannot be located between the street and the principal building. Vehicle inventory must be displayed or stored beside or behind the principal building in relation to East Arapahoe Road and screened with a 40 percent opacity landscape bufferyard a minimum of three (3) feet in height at the time of planting.
- e. Gasoline canopies. In addition to the standards contained in Section 12-4-203, *Convenience Stores and Gasoline Stations*, all canopies associated with a Gasoline Station/Convenience use in the Central Arapahoe Road Corridor shall be placed on the interior side of the principal building (opposite of East Arapahoe Road).
- f. Vehicle Wash and Vehicle Service/Repair bays. Vehicle access bays associated with a Vehicle Wash or Vehicle Service/Repair use must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a continuous plant row, a minimum of three (3) feet in height at the time of planting (above the height of the drive-through lane), to adequately screen the bay(s) from public view from East Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
- g. Parking lots. Surface parking lots, both stand alone or associated with a commercial use, must be screened from East Arapahoe Road as follows:

- i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting, to adequately screen parked vehicles from public view from Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
 - h. Parking structures. Parking structures, both standalone or associated with a commercial use, must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road);
 - ii. Placed beside the principal building and screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).
 - iii. If a standalone parking structure is the principal building, said structure shall be screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).
 - i. Monument signage. In addition to the standards contained in Section 12-6-402, *Detached Signs*, all permanent monument signs associated with a property or use in the Central Arapahoe Road Corridor shall be designed to mimic or complement the principal building. If no principal building exists, all monument signs shall be comprised solely of Class I or Class II materials. See 12-4-208(C)(2) for acceptable building materials.
4. *Enhanced Design Standards for Newly Established Vehicle Sales Uses.*
The following shall apply to Vehicle Sales Uses established after

December 18, 2016 (“New Vehicle Sales Uses”), and to all redeveloped Vehicle Sales Uses in the Central Arapahoe Road Corridor:

- a. New Vehicle Sales Uses cannot be located on any parcels less than five (5) acres in size, unless the parcel proposed for development/redevelopment contained a lawfully established Vehicle Sales Use prior to December 18, 2016.
- b. New Vehicle Sales Uses shall contain principal buildings designed as follows:
 - i. All primary building facades (facades adjacent to a public street) shall be a minimum 30 feet in height;
 - ii. All primary building facades (facades adjacent to a public street) shall contain only Class I materials, with a minimum of 75 percent glass (fully transparent); and
 - iii. All secondary building facades (facades not adjacent to a public street) shall contain only Class I and Class II materials, with a minimum of 75 percent of each secondary facade containing Class I materials (no more than 25 percent of each secondary facade shall contain Class II materials). Class III and Class IV materials are prohibited.
- c. New Vehicle Sales Uses may only contain accessory buildings designed as follows:
 - i. All primary building facades (facades adjacent to a public street) shall be a minimum 20 feet in height, except where restricted so as not to exceed the height of the principal building;
 - ii. All primary building facades (facades adjacent to a public street) shall contain only Class I materials, with a minimum of 75 percent glass (fully transparent);
 - iii. All secondary building facades (facades not adjacent to a public street) shall contain only Class I and Class II materials, with a minimum of 75 percent of each secondary facade containing Class I materials (no more than 25 percent of each secondary facade shall contain Class II materials); and
 - iv. Class III and Class IV materials are prohibited.

Section 8. Article 16, *Definitions*, shall be amended to include in alphabetical order the following definitions inserted in the existing definitions section:

Build-to Zone is applicable to those properties within the Central Arapahoe Road Corridor. The Build-to Zone means the area within 25 feet of the front building setback (e.g. for CG and BP zone districts the Build-to Zone would be between 25 feet and 50 feet from the front property line).

Central Arapahoe Road Corridor is defined by properties along East Arapahoe Road from South Quebec Street to South Parker Road, as depicted in the Central Arapahoe Road Corridor Map (**Appendix G**).

Passenger Vehicle means a motor vehicle designed to carry ten (10) persons or less including the driver. Passenger Vehicle also includes motor vehicles designed to carry ten (10) persons or less that are constructed either on a truck chassis or with special features for occasional off-road use. Passenger Vehicle is intended to include the vehicles defined as passenger cars and multipurpose passenger vehicles by the National Highway Traffic Safety Administration, but not to include Commercial Vehicles (e.g. moving trucks).

Section 9. Article 16, *Definitions*, shall be amended to repeal and replace in alphabetical order the following definitions to read in full as follows:

Auto Repair means the repair and/or servicing of automobile or motor vehicle, including trailers, recreational vehicles, campers, motor homes, mobile homes, and motorcycles:

1. **Minor.** Repairs consisting of a minor nature, such as: tune up, oil change, chassis lubrication, tire change or repair, wheel alignment, muffler repair or installation that meet the following:
 - a. Repairs are made in fully enclosed bays;
 - b. Repairs are of a type that is typically completed in less than two hours (e.g., oil changes, brake service, tire rotation and balancing, glass repair, tire replacement, fluid checks and replacement, muffler service, spark plug replacement, and comparable services); and
 - c. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors.
2. **Major.** Vehicle repair consisting of assembly or disassembly of engine parts, body parts, transmission, chassis, axles, and/or the process of painting or upholstering and shall be considered a Heavy Industry use.

Gasoline Station/Convenience means:

1. Gasoline service stations (including gasoline service stations that are associated with grocery stores and warehouse clubs);
2. Gasoline convenience marts (a gasoline service station with a convenience store); or
3. Any combination of 1-or 2 above.

Heavy Industry means:

1. Primary processing or manufacturing or repair operations not specifically defined elsewhere in this Section, which involve:
 - a. An outside storage area that is larger than the area of the first floor of buildings on the same lot;
 - b. A material risk of environmental contamination, explosion, or fire;
 - c. Perceptible ground vibration;

- d. Excessive noise or dust;
 - e. Emission of objectionable odors; or
 - f. More than 12 trips by semi-trailer trucks per day; or
- 2. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, or fossil fuels; or
 - 3. Industries that are required to undergo New Source Review under the Federal Clean Air Act, or are subject to construction or operation permits pursuant to the Colorado Stationary Sources Program or Title V of the Federal Clean Air Act.
 - 4. For illustrative purposes, heavy industrial uses include, but are not limited to:
 - a. Coal cleaning plants with thermal dryers; coke oven batteries; carbon black plants (furnace process); petroleum refineries; petroleum storage and transfer units (except retail gasoline stations); and bulk fuel dealers;
 - b. Facilities used in the primary or secondary production of metals (e.g., primary zinc, copper, or lead smelters; primary aluminum ore reduction plants; iron and steel mills; sintering plants; secondary metal production plants; and blacksmith shops);
 - c. Portland cement plants;
 - d. Sawmills and pulp mills;
 - e. Incinerators with the capacity to charge more than 250 tons of refuse per day;
 - f. Lime plants; phosphate rock processing plants; sulfur recovery plants; and hydrofluoric, sulfuric, or nitric acid plants;
 - g. Fossil fuel combustion (boilers or electricity generation) totaling more than 250 million BTUs per hour of heat input;
 - h. Fabrication of building materials such as countertops, drywall, and cut stone;
 - i. Fabrication of vehicles, manufacturing equipment, durable goods, or pre-fabricated homes or home components;
 - j. Auto Repair, Major;
 - k. Drycleaner processing plants that use PERC or comparable petrochemical solvents;
 - l. Meat or seafood processing plants;
 - m. Manufacture of glass products (e.g., window panes, bottles and jars), except hand-blown products;
 - n. Manufacture of plastic products (except assembly of parts that are manufactured elsewhere);
 - o. Plasma arc welding, cutting, gouging, surfacing, or spraying; gas welding (but not brazing); arc welding with equipment that is rated at more than 200 amps; TIG welding; and other heavy welding procedures (e.g., for structural steel, automotive body, or heavy equipment manufacture or repair);
 - p. Hot mix asphalt plants;
 - q. Regional wastewater utilities;
 - r. Fossil fuel power plants, waste-to-energy plants, and biomass plants that produce more than 100 megawatts of electricity; and
 - s. Fossil fuel peaker power plants.

Vehicle Wash means any area or business using self-service, in-bay automatic, or conveyor equipment for cleaning and washing motor vehicles, whether as a part of another business operation (e.g., as an accessory use to a Gasoline Station/Convenience Use, a Vehicle Sales Use, a Vehicle Rental Use or a Vehicle Service/Repair Use), or as a standalone operation, of any type, on a commercial basis. The definition includes fleet and municipal in-bay automatic and conveyor vehicle wash facilities.

Section 10. Article 16, *Definitions*, the existing definition for Restaurant, Drive-In Or Drive-Through shall be repealed and replaced with two (2) separate definitions to read in full as follows:

Restaurant, Drive-In means a building or structure and adjoining parking area used for the purpose of providing food and/or beverages to the public for consumption while remaining in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside or outside the building or structure for the patrons.

Restaurant, Drive-Through means a building or structure used for the purpose of providing food and/or beverages to the public for delivery or pick-up from a counter or window designed and intended to be used to deliver food and/or beverages to patrons while within vehicles, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside for the patrons. Restaurant, Drive-Through shall not include delivery of food and/or beverages for consumption while remaining in vehicles parked upon the premises (see Restaurant, Drive-In).

Section 11. Article 16, *Definitions*, the existing definition for Vehicles Sales, Rental and Service shall be repealed and replaced with three (3) separate definitions to read in full as follows:

Vehicle Rental means uses that rent automobiles, light trucks, boats, and motorcycles, where the inventory is stored for any length of time on-site.

Vehicle Sales means uses that sell, purchase or lease automobiles, light trucks, boats, and motorcycles, where the inventory is stored for any length of time on-site.

Vehicle Service/Repair means uses that perform service on automobiles, light trucks, boats, motorcycles, or other similar vehicles, where the inventory is stored for any length of time on-site. The phrase includes Auto Repair, Minor, as defined, but does not include Auto Repair, Major, which is defined as Heavy Industry.

Section 12. Article 16, *Definitions*, the existing definition for Auto Broker shall be repealed in its entirety.

Section 13. Minor Edits, Corrections and Additions. The Community Development Director shall be authorized to make minor typographical, immaterial or grammatical corrections

or additions to the Land Development Code, including but not limited to correcting spelling errors and adding, removing or supplementing materials that do not materially change the meaning or intent of the Land Development Code, without City Council approval, provided that the Community Development Department shall maintain full and complete records of all such edits, additions and corrections made to the Land Development Code.

Section 14. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 15. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 16. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ____ DAY OF _____, 2016.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2016 and ordered published one time by title only in *The Villager* newspaper on _____, 2016, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2016, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2016, and ordered published by title only, one time by *The Villager* newspaper on _____, 2016 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

ARAPAHOE ROAD RETAIL CORRIDOR STUDY



10/27/2015

City of Centennial

Analysis to quantify the impact of land use regulations, inform future zoning, land use and infrastructure planning within the corridor.

Arapahoe Road Retail Corridor Study

CITY OF CENTENNIAL

Executive Summary



Current Status The character of Arapahoe Road is that of an auto-centric strip commercial corridor.

The high-traffic auto focused perspective of the corridor coupled with strong daytime employment makes the corridor the perfect breeding ground for convenience retail. Whereas ideal for convenience related retail, larger scaled retailing has located on the periphery of this corridor seeking out locations that provided either stronger links to the broader trade area or more direct

residential support. Their locations on the periphery of the corridor have eliminated larger retailing opportunities to develop on Arapahoe Road.

Convenience retail is the predominant retail genre on the corridor and will remain so. Future development opportunities on the Arapahoe corridor will be dominated by convenience retailing due to the size of the parcels, land competitive locations in and around the corridor.

The concept of convenience retailing is changing dramatically. Once reserved for gas stations and fast food the consumers focus on convenience is now opening the door for new concepts in retailing. Case in point, the quick-serve/fast casual dining explosion has dramatically impacted the outdated concept of convenience. Targeted towards younger generations whose primary concern is price, taste and ease of access – these new food retailers are changing the convenience retail market considerably. The new look of convenience retail is more modern and broadly represented and aimed at grapping the growing quick service food dollar.

KP & Associates

The corridor also boasts 11 major auto sales/dealerships + several secondary dealerships. It is clear that auto sales will continue to be a large commercial component of the corridor for the foreseeable future. There are virtually no alternative locations for these dealers to relocate to in or outside of Centennial so for “better or worse” these dealers will be part of the community.



The City land use regulations put in place to control placement of restaurant drive-through, gasoline retailing and vehicle sales has a profound impact on the corridor serving to limit or eliminate development in those areas being restricted. The requirements are excessive in terms of the development options on the corridor where the lots are smaller and not as deep (north/south) resulting in the targeted uses not being able to comply with the regulations. Consequently, the regulations have the impact of dissuading these uses from locating, expanding or redeveloping on the corridor.



Opportunity Improvements to the corridor are available that would both increase the physical appeal of the corridor as well as change up the current development pattern.

Nationally, there is a considerable amount of focus on the topic of shifting from an outdated development pattern (strip commercial corridor) to one that is more sustainable. A common land use issue in almost every major metropolitan city, the number of “strip corridors” throughout the nation requiring envisioning is numerous. This has led to many organizations and land use professionals to study the inefficiencies of the “strip corridor” land use pattern and identify new land use patterns. Shifting to a new developed pattern that is more sustainable in today’s environment is the ultimate goal and a necessity in revitalizing the “strip corridor”.



Perhaps one of the most comprehensive guides for revitalization of “strip corridors” is the EPA’s Smart Growth Program commissioned to evaluate *“Restructuring the Commercial Strip – A Practical Guide for Planning the Revitalization of Deteriorating Strip Corridors”* by the United States Environmental Protection Agency (updated October 2012).

Following is brief recap of the concepts this study evaluated (Edited):

Reorganizing Retail From Linear to Nodal – Encourage and accommodate the transformation from linear strip retail to clustered retail at crossroad locations – identifying the most favorable location along the corridor for retail clusters. Locating the retail on one or two quadrants is preferable to all corners of the intersection. Assuming that a cluster intersection will be a higher intensity traffic intersection – that vehicular traffic will be a detriment to creating the pedestrian connection.

Create “Real” Centers – A more sustainable development concept is “walkable urbanism” which is compact, mixed use, pedestrian-oriented districts served by transit.

Organize Buildings & The Spaces Between Them To Cultivate Street Life – Concentrate shops, residential and workplaces in such a way as to entice “us” out into the public spaces between the buildings. Creating spaces to linger and “human scaled” street elements add interest and assist to distinguish the area. Sidewalks need to be generous and have amenities. Parking needs to accommodate a park–once–and–walk experience.

Restore Value & Prominence To Segments – Corridor segments are typically several miles long and can be composed of hundreds of separately owned parcels of varying sizes. To provide an effective planning framework that will stimulate investment in the long corridor segments, corridor plans must enable viable alternatives to strip retail. Reinforcing and building on value already in place is the first alternative – bolstering areas of the corridor where natural clusters have taken hold is preferable. Where there are segments of the corridor where commercial focus has been lost (disinvestment), residential investment should be considered as the most viable and predominant alternate use.

Design Public/Private Frontages As A Single – Cohesive Physical Element – It is critical that the area between the buildings and the moving lanes of traffic be used effectively. The private frontage includes the ground level of the building façade and the design of any setback areas. The public frontage includes the sidewalks, right-of-way landscaping and parking lanes. These two elements must mutually reinforce each other by working as a coherent visual and functional space. Introducing front stoops, canopies, porches, frontage plants, wider sidewalks and street trees are all aspects to consider.

Conclusion The retail makeup of the corridor will not dramatically change based on the retailers themselves. The market does not exist to transition the corridor with larger scaled retailing options. As the corridor dynamics are perfectly matched with convenience retail, the corridor will continue to be dominated by convenience retail. Efforts to limit those types of retailers along the corridor will only serve to stagnate the corridor by not allowing newer format convenience retailers into the market who can help transition the concept of convenience retail.



Stunting the ability of the auto dealerships in terms of their facilities places them in the position to not operate in the most current and modern facilities. This aspect could erode the corridor. Given the dealerships pronounced placement on the corridor, not allowing them the opportunity to remain a top tier dealership could have significant repercussions if those locations were to transfer to used/lower tier dealerships.

Answers to creating a more vibrant retailing environment in a strip corridor are not as simple or straight forward. The current built condition of the corridor is not in step with the direction retailing environments are trending to. To ensure retail vibrancy for the corridor will require a shift in thinking that places more emphasis on the key retailing intersections and initiating efforts to introduce high-density residential and other mixed use elements.

A well-designed mixed-use development of more than one building also lends itself to place making, the art of creating a real sense of place specific to a site or community.

Nancy Thompson, Useful Community Development Organization

The corridor has some very positive aspects to build off from including a well-established daytime population (office) that positively influences the corridor. Several key intersections along the corridor have already been established with retail that could provide the building blocks to integrating additional uses and retail into them.

Turning the focus towards creating stronger physical spaces along the length of the corridor and introduction of high density housing would support and help to expand the retailing opportunities.

Issue Summary

Arapahoe Road is a key retail corridor for Centennial. With competition from other jurisdictions in the corridor, changing trends in retail, existing zoning and development standards affecting development and redevelopment within the corridor, the City wanted to more fully understand the current conditions, challenges and future opportunities for this important corridor. Working with Staff, KP & Associates studied the history, dynamics and local conditions impacting the corridor.

This analysis evaluated –

- The impact of existing drive-through regulations and other restricted land uses.
- Current land use, future zoning and infrastructure planning within the corridor.
- Stakeholder views of the corridor.

The analysis will be used by the City to –

- Quantify impact of existing land use regulations and guide decisions to retain, modify or remove standards.
- Inform future zoning, land use or infrastructure planning within a key City corridor.
- Identify property owners and/or key sites to pursue for near-term retail development or redevelopment projects.

Introduction



Although the south metro region is fortunate to have diverse and significant transportation assets, east-west linkages connecting the workforce and business parks are limited. Arapahoe Road is the only major east-west connection that also functions as an arterial with direct, at-grade connections into the business parks. Arapahoe Road also serves as a connection between Parker Road and Interstate 25, providing the only direct east-west connection alternative between Interstate 225 and E-470 Tollway. *Arapahoe Road Market Capacity White Paper 2014*

The Arapahoe Road corridor retail analysis extends from Parker Road on the east to Quebec on the west. In the current configuration, Interstate 25 acts as a barrier for retailing in the corridor. The traffic associated with this interchange and the time it takes to move through it acts as a substantial barrier to the retail on either side of I-25. CDOT has planned 2016/2017 construction of a complete redesign of this interchange –

Planned Improvements (CDOT Website)

Summary of Improved Partial Cloverleaf Interchange Improvements

The planned improvements to the I-25 and Arapahoe Road (State Highway 88) interchange complex will reduce congestion and improve traffic operations and safety.

The existing partial cloverleaf interchange will be improved through implementation of the following project elements:

- Reconstruct the I-25 bridge over Arapahoe Road and provide three through lanes on Arapahoe Road under the I-25 bridge with a single barrier separating east/west traffic
- Realign the frontage road in the northeast quadrant of the interchange
- Construct an additional westbound lane on Arapahoe Road from Yosemite Street to Greenwood Plaza Boulevard
- Widen Yosemite Street north and south of Arapahoe Road
- Construct two noise walls: one along Yosemite Street south of Arapahoe Road to Xanthia Street, and another along the south side of Arapahoe Road from Uinta Street to Yosemite Street
- Provide triple left turns from the I-25 off ramps

The anticipated improvement may make a dramatic change to the corridor, evaluation of the improved traffic circulation and impact to the corridor cannot be assessed until the improvements are actually completed. Consequently, the current dynamic is that the retailing character is differentiated between the eastern portion that extends from Parker Road to Interstate 25 and the western portion that extends from Interstate 25 to Quebec. The analysis has been completed with that dynamic in place.

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Arapahoe Road – West of Interstate 25



West of Interstate 25, the retail character of Arapahoe Road is described as conventional retail. In this section of the corridor, the retailing is centered on neighborhood, mid-tier regional and entertainment options with 2 grocery stores, sit down restaurants, convenience retailing, office supply and a movie theater. Proximity of residential neighborhoods feels more accessible to this section of the corridor with the office influence less visible.

Demographics for this portion of the corridor are –

Total Population	19,496
Households	8,635
Median HH Income	\$84,093
Median Age	40

Retailing constraints in this area of the corridor are focused on several factors:

1. Portions of the retail are dated and not representative of new retailing trends. This dated perspective extends to some of the retailers themselves who are operating out of older format stores and have not improved the aesthetics of their facilities.
2. There is little to no cohesion between the main retailing areas. The area functions as 3 separate centers with no visual or physical connection between them.
3. Two of the key retailing areas are located in Greenwood Village which hinders the ability to influence the area as a whole.
4. There is no identity to the retailing either in visual terms or with the retailing itself. Regionally focused retailers are intertwined with neighborhood retail. Both genres of retail are most likely suffering from this lack of identity.

Arapahoe Road – East of Interstate 25

East of Interstate 25, the retail character of Arapahoe Road is best described as a retail strip corridor sharing the same “strip-corridor” factors associated nationally:

“Strip corridors are characterized as linear in arrangement, associated with high volume traffic, separate vehicular entrances and exits, undefined pedestrian path system, conflicts between pedestrian and vehicular movements and a cluttered appearance from inconsistent architecture and signage” *EPA’s Smart Growth Program*



The Arapahoe Road corridor is a long, undifferentiated corridor dominated by retail uses with other commercial activities and various special uses. A wide multilane roadway edged with monolithic curb-gutter-and sidewalk assemblies with narrow sidewalks and little to no curbside parking or pedestrian amenities.



Convenience oriented retail which thrives in an auto-centric environment has quickly filled in the corridor and is the predominant retailing genre along the corridor. Convenience oriented retail will likely always be a strong element of the corridor due to the vehicular aspect of this area of Arapahoe Road.

Located in this section of the corridor are fast food restaurants, sit-down restaurants, convenience retailing (banking, gasoline, quick-serve food, salons, dry cleaning, liquor, etc.) and retail automotive sales (car dealerships).

Demographics for this portion of the corridor are –

Total Population	34,396
Households	13,860
Median HH Income	\$94,547
Median Age	39.3

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Retailing constraints in this area of the corridor are focused on several factors:

1. Lack of residential in close proximity to the corridor. The lack of a stronger residential base limits the “needs based” retailers from locating in the corridor. This lack of residential hinders interest from those “needs based” retailers such as grocery stores, who cannot rely on daytime employment traffic to support them.
2. There is no identity to the retailing either in visual terms or with the retailing itself. The spread out nature of the eastern corridor does not lend itself to creating a sense of “place”. Customers merely move through the corridor versus having opportunity to feel connected and desiring to spend time.



The following review sections examine the retailing dynamic by genre of retail. KP has included specific retail reviews of:

- Convenience
- Neighborhood Convenience/Grocery
- Mid-Range
- Super-Regional
- Main Street/Mixed Use
- Retail Automotive Sales (Car Dealerships)

Stakeholder Input



A portion of the analysis was influenced by the involvement of stakeholders in the corridor. KP conducted interviews with land owners, business owners and retail brokers operating in the Arapahoe corridor. The direct input KP received from the interviews provided different insights in how the corridor is perceived.

KP contacted 26 individual stakeholders (*list attached as an Appendix*). Of those 26, 11 participated in a one-on-one interview or provided a written survey response (42% success rate). The respondents represented land/property owners, retailer businesses and retail brokerage.

Comments included:

Traffic on the corridor has become a large concern – difficult to navigate.
There is not enough residential to support sustainable retail in most of the corridor.
The City should embrace the automotive uses in the corridor – embrace what you have.
Development pattern is unidentifiable.
1500' setback/drive-through restriction is detrimental to pad development.
Daytime population is great.
Weekends and evenings are a “bust” with not enough customer traffic.
Would like to see integrated development with high density residential and ground floor retail.
The corridor is lacking great development sites.
More roof tops needed.
Parker Road overpass disrupts the flow and connectedness of the corridor.
Lack of residential hurts restaurant and retail.
City needs to consider incentives to assist in development/redevelopment.
Development along the corridor seems happenstance and lacking in an identity.

KP did not ask for comment on the stakeholder’s working relationship with the City, but several stakeholders expressed unsolicited comments regarding their interaction with City staff -

The City is tough to work with – tend to have a “my way or the highway” perspective.
The City process and code are the biggest constraints in the corridor.
Too much “red tape” working with the City.
City needs to be a pro-active partner with the development community.
Staff needs to be more creative and open-minded about development in the corridor.



Responses

The City recently updated its Land Development Code (LDC) and legislative rezoning for commercial property throughout the City. Additionally, there are some zoning and development standards that target specific land uses and development types within the corridor. How have these code changes and/or standards affected the development potential for your property?

Only the respondents that had undeveloped land or are considering a redevelopment in the corridor understood what this question meant. Those that did understand all answered that the changes would have an impact on their projects and considered the changes to be a constraint. Given the high traffic nature of the corridor, the general sentiment was that Centennial did not fully understand the dynamics of the corridor and are now limiting the types of users that want to be in the corridor.

What are the retail market opportunities in the corridor?

The business owners and non-retail commercial property owners did not have insight into this question. Only the respondents with retail projects/development in the corridor answered. Of those respondents, most felt that the corridor is best suited for fast casual food and convenience focused retail.

What do you see as the retail market constraints in the corridor?

The majority of the respondents felt that the lack of residential population in proximity to the corridor is the biggest constraint. Opportunities to introduce more residential into the corridor was encouraged – including high density options.

Other constraints noted was the proximity to larger retailing options at both ends of the corridor which siphons off interest from retailers to sites located in between those areas and spacing between “sister” locations.

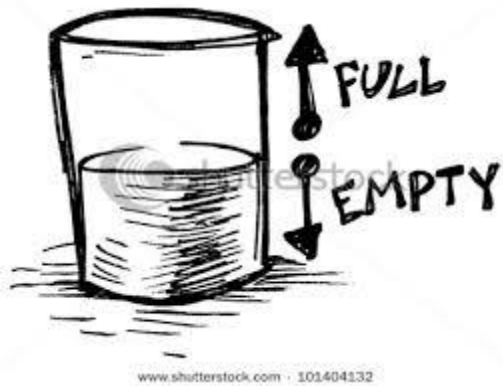
Respondents also noted that there needs to be additional street connections built to aid circulation. Specifically noted was a left turn on Arapahoe Road to Joliet and a connection from Easter to Potomac.

What do you see as the future potential of the corridor as it pertains to your property?

A number of respondents did not answer this question – some citing that they just “didn’t know”. Responses were focused on opportunities they were pursuing for their project and were more general in the sense that they are considering specific uses such as more food and medical services rather than having broader perspective about the corridor itself.

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Summary



The majority of the responding stakeholders had isolated views about the corridor – expressing views that were only specific to their business. Generally, they do not view the corridor as a whole and had little input into opportunities. All seem to be looking to the City of Centennial to provide the vision and framework for the corridor.

Many mentioned the existence of the automotive sales in the corridor as a defining use. They all noted that this land use was already defined prior to the existence of the City itself and in most cases before they made the decision to locate in the corridor. A few of those respondents feel that the City should embrace this use and not fight against it and perhaps even open the door to allow some of the luxury dealerships into the corridor. The sentiment that the City should “embrace what Arapahoe Road is” was fairly common – no respondent felt that wholesale changes to the corridor were warranted.

The most passionate responses came from those stakeholders that had had adversarial interaction with the City; their comments were almost entirely focused on the issues with the City Staff and/or Land Development Code restrictions.

Convenience Retail

Characteristics

Convenience retail is the most common of all retail with small trade areas of only 1–2 miles, these retailers are the ones we see in our everyday travels to work, school and home. Small in scale, these retailers rely on a “pass by” customer base and need visibility and ease of access. Generally stand alone and auto-centric, retailers in this genre are decidedly service focused and more recently, “food” focused. Retailers in this genre include quick serve restaurants, liquor, coffee, gasoline, etc.

The “auto-focus” associated with this scale of retailing has made it a target with many municipalities perceiving that this scale of retail is sub-par or even undesirable. Evolution of consumers post-recession has “today’s customers” focused on value, service, personalized experiences and.....convenience. Many of the new retailing concepts expanding are embracing these demands and developing retail concepts that provide all of these aspects. Most notable of the new “convenience retailer” is the fast casual/quick service restaurant genre. In 2014, Americans spent over \$21 billion in fast casual restaurants with many industry experts expecting the trend to only continue to grow.

Characteristics normally associated with convenience retail are:

- Smaller scale with store sizes between 1,000 to 3,000 square feet.
- 1–2 Mile Trade Area
- Stand-alone retailers requiring 1–2 acres.
- Auto-centric feeding off of “pass by” traffic.
- Need direct visibility and accessibility to the main traffic corridors.
- Typical locations are within high traffic corridors allowing the convenience factor to drive market interest.

Development Trends

The concept of convenience retailing is changing dramatically. Once reserved for gas stations and fast food the consumers focus on convenience is now opening the door for new concepts in retailing. Case in point, the quick-serve/fast casual dining explosion has dramatically impacted the outdated concept of convenience. Targeted towards younger generations whose primary concern is price, taste and ease of access – these new food retailers are changing the convenience retail market considerably. The new look of convenience retail is more modern and broadly represented and aimed at grapping the growing quick service food dollar.



Gasoline/Convenience Store

Getting good food at the same place you get gas seems like an oxymoron, but that perception appears to be changing. As more convenience-store chains focus on improving food and beverage quality, they are growing visits and posing a competitive threat to quick-service restaurants, according to officials at market research firm The NPD Group. "These food-forward retailers have moved forward in terms of quality and variety," NPD analyst Bonnie Riggs said. "They are a segment to watch ... a retailer to

take note of, put into your competitive set."

Restaurant News



Quick Service Restaurants

"Fast food is commonly associated with greasy burgers and fries. Fast food is stigmatized as overly processed and generally unhealthy. And although many quick-serves do reflect traditional fast food concepts, it's not true across the board. Quick-serves like Subway, Jamba Juice and TCBY are examples, offering menu items like smoothies, toasted sub sandwiches and even fruit-laden frozen yogurt. Even fast-food giant McDonald's serves items like the Fruit & Walnuts and

Blueberry Banana Nut Oatmeal—a definite departure from typical fries and burgers. FSW season'd



Fast Casual Restaurants

Fast casual is relatively modern terminology for a restaurant that falls between full-service and quick-service. Also called quick-casual or limited-service, these types of restaurants are typically distinguished by service type and food quality. Fast-casual restaurants are often perceived to offer better quality food and a more upscale dining area than quick-service

restaurants, but with less expensive menu items than full-service restaurants. FSW season'd

19% of U.S. adults dined at a Quick Service Restaurant 10 or more times in the past 30 days.

78% of 10+ QSR diners dined at a McDonald's in the past 30 days.

Nielson

Opportunity



The high traffic auto-centric nature of the Arapahoe Road corridor makes it ideal for convenience retailers. Situated along all points of the corridor, there is a preponderance of this scale of retailing.

With numerous fast food operators, fast casual restaurants, gasoline retailing and service providers all operating in the corridor, convenience retail is well represented.

The “2014 Arapahoe Road Market Capacity White Paper” prepared by the City of Centennial Economic Development Division noted that there were several fast/quick serve restaurants not located in the corridor. Of those noted, 2 have located in the corridor since the study and the following are active in the Colorado market and remain as opportunities:

Panda Express (Drive-Through Required)
Chick Fil-A (Drive-through-Required)
Good Times (Drive-Through Required)
Café Rio



Opportunity Sites There are a several undeveloped sites along the corridor that are best suited for convenience retail both in terms of their size and ability to provide appropriate accessibility/visibility for this scale of retailing –

1. **NWC Arapahoe & Potomac (7.4 Acres)** – The scale of this property is large enough for a multi-tenant development accommodating several small-scale retailers. It is too small to accommodate any retail of size. Adjacent to the City Hall complex, this site provides the opportunity to cluster convenience retail in such a way that it establishes a more unique design for the corridor.
2. **NEC Arapahoe & Potomac (7.2 Acres)** – The scale of this property is large enough for a multi-tenant development accommodating several small-scale retailers. It is too small to accommodate any retail of size. The NWC and NEC should be developed in tandem to accomplish a more unique retail design that interplays with the City Hall complex.
3. **SWC Arapahoe & Potomac (1.3 Acres)** – The scale of this property relegates it to a free-standing convenience retailer similar to the Big O Tires and Wendy’s adjacent to the pad. Drive-through restrictions are likely the limiting factor in this site being developed.
4. **NEC Arapahoe & Lima (6.7 Acres)** – This property is slated for development as an extended stay hotel. A portion of the site will remain available for small scale development which could accommodate a few small-scale retailers.

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5. **SEC Havana & East Briarwood (Topgolf)** – The opening of Topgolf, a premier destination entertainment venue may make these sites attractive to the fast casual/quick service restaurants. Locating off of Arapahoe Road may be a challenge, as Topgolf has just opened with their first entry into Colorado – it will likely take time for the market to decide if the opportunity is desirable.
6. **Arapahoe & Havana (Burger King & Volcano Restaurant)** The restaurant located on the corner could be a redevelopment site if the drive-thru restrictions do not come into play. It is likely that a higher profile restaurant concept would be interesting in the corner without those setback and spacing restrictions. The closed Burger King building also has redevelopment opportunity with its profile along Arapahoe Road. *(At this time of this report, the Burger King is slated to be redeveloped as an auto parts store.)*



Areas that were not considered opportunity for retail development –

Peakview Avenue – Peakview is a minor arterial that parallels Arapahoe Road. As a secondary thoroughfare, it does not carry the same amount of traffic nor provide the same accessibility to the trade area that Arapahoe Road does. For this main reason, development opportunities along Peakview are not suitable for retail development.

Briarwood Avenue – Briarwood is also a minor arterial that parallels Arapahoe Road. Also a secondary thoroughfare, it does not carry the same amount of traffic nor provide the same accessibility to the trade area that Arapahoe Road does. For this main reason, development opportunities along Briarwood have not been realized, specifically the pads in front of the Super Walmart. Topgolf opening adjacent to Briarwood could have a positive impact for the proposed retail pads.

Constraints

The primary constraint for this scale of retailing is the spacing and area requirements adopted by the City. This criterion is especially cumbersome for convenience retail which is heavily represented by quick service restaurants and gas/convenience facilities. The setbacks and spacing criteria has a profound impact on location criteria of convenience retailing who rely predominately on their ability to be visible and accessible to the main thoroughfare. The very nature of “convenience” retail is their ability to be “convenient” – placing them farther back from the street and further apart from one another compromises the convenience factor.

As the quick serve/fast casual segment matures, some chains are evaluating the necessity of drive-throughs. If the trend continues, many of these restaurant chains would be prohibited from locating on the corridor with the current drive-through setbacks established in the code.

Can Fast Casual Chains Use Drive-throughs?

By Jonathan Maze



The drive-through window has become such a mainstay in the QSR space that a fast-food restaurant would be literally killing its business without one. About two-thirds of the orders at many QSRs come through that window now, because consumers can't be bothered to get out of their cars.

Fast-casual chains have eschewed those windows, adopting the Subway approach by using mostly leased, inline locations and relying on walk-in traffic. And it's been working. The sector is the only one in the restaurant business that is currently growing. Still, with some fast-casual concepts now struggling with sales slowdowns, particularly among to-go customers, we wonder whether these concepts have tossed sales out the window by ignoring the drive-by customer. They might be, at least in some cases.

Not surprisingly, a number of concepts are testing that very idea. Panera Bread, which has seen an erosion of sales, particularly in the to-go business, has retrofitted a number of its stores to include drive-through windows, with considerable success. Franchisees tell us these windows bring in business that would otherwise ignore the concept.

But adding a drive-through to a fast-casual concept isn't simply a matter of cutting in a window, throwing a speaker and a menu on the outside wall and handing a worker a headset. So we asked Don Fox, the CEO of Firehouse Subs, to discuss the challenges and benefits of adding a drive-through. His concept has 13 locations with drive-through windows, and franchisees are building two more. But they won't become the norm at Firehouse, either.

"I think all fast-casual brands, as they look at this, have to assess whether a drive-through format is compatible with their operation," he said. "For some, it's simply not."

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The biggest challenge is speed. "We're not fast food," Fox said. But drive-through customers expect their food quickly. When Fox became CEO of Firehouse in 2003, the company had two locations with drive-through windows, but "I would not say they were well executed," he said. Speed was "very slow," even for a chain that heats its subs the way Firehouse does. Fox put a freeze on new locations with windows, until the idea could be studied further, and then the idea was shelved for a few years.

But as franchisees came across opportunities to acquire freestanding units with drive-through windows three years ago, Firehouse revisited the idea. The company worked to refine its equipment package, and getting operations in line to improve speed. The company opened in Sarasota, and Orlando, with drive-through windows, and then others.

One of the things the company learned is that customer expectations are important. If customers weren't familiar with the brand, but went through the drive-through, they would have been surprised at the slowness of the service, even after the company improved its speed with the new units. "Our speed of service standards are not, certainly, fast-food standards," Fox said. "We had to understand customer expectations."

And that's a key component. Diners need to be familiar with the brand to begin with, and to understand that the food takes a bit longer than it does at, say, Burger King. As such, he said he would not put a Firehouse Subs with a drive-through in a market that wasn't already familiar with the brand.

And, Fox noted, the percentage of business that fast-casual restaurants receive through the drive-through is lower than it is at QSR concepts. "One of the reasons people go to fast casual is for the better dining experience," Fox said. "The benefits they get from the drive-through experience aren't as important to them."

Still, Fox said, drive-through windows do add incremental sales to a location. They enable that restaurant to capture to-go business that would otherwise pass it by. A freestanding location with a drive-through window has higher volumes than an inline location.

As a side note, Fox said, many QSR brands can't exist in inline locations the way fast-casual brands can. Fox had been a Burger King veteran before he took the job at Firehouse, and he said the chain tried inline sites in the 1990s. They didn't work. But fast-casual burger chains can operate in such sites. It's all about customer expectations, he said.

Fox believes that brands considering drive-through locations should understand their own unit economics, and their own market, before venturing into such an idea. He said that Firehouse only considers drive-through locations in an opportunistic fashion—perhaps second or third generation freestanding sites that have lower up-front costs. That makes the investment more realistic.

"You really have to know and to understand your brand, and why they're using you," Fox said.

Conclusion



Convenience retail will continue to flourish in this corridor. The high-traffic auto focused perspective of the corridor coupled with strong daytime employment makes the corridor the perfect breeding ground for this scale of retail. The limited residential influence is not a factor for convenience retail and with the smaller trade area criteria of 1–2 miles, multiple retailer locations on the corridor are achievable.

With the definition of a “convenience retailer” expanding to segments of retail that are more

attractive than the “old” convenience retailers of the past, this genre of retail is no longer a genre that should be ignored or overly restrained by restrictions. City regulations regarding drive-throughs and setbacks are likely going to be a significant limiting factor for this scale of retailing and will impact interest. Evaluating options to modify the restrictive language should be considered by the City.

Neighborhood Convenience/ Grocery Retail

Characteristics



Neighborhood retail is “needs based” retailing that provides for the sale of convenience goods (food, drugs, sundries) and personal services for the day-to-day living needs of the immediate neighborhood.

Grocery may be one of the most dynamic retail genres coming out of the market downturn in 2008. Capitalizing on the “food dollar” that is perceived to be “recession proof” the growth in the number of grocery retailers has never been higher. The birth of “destination stores” such as

Sprouts and ethnic grocery stores such as Mi Pueblo have altered the grocery marketplace and in some cases have affected the stability of some long term conventional grocers.

Conventional Grocers

Site selection is fairly consistent between these grocers. They are less concerned with the specifics of the trade area as they are the depth of the trade area. Real estate decisions are based on the projected sales volumes and since these grocers are considered the “primary” shop they expect to be shopped by the broader trade area.

Characteristics normally associated with these conventional grocers are:

- Store sizes range from 40,000 SF to 123,000 SF.
- 2 Mile Trade Area
- 15–25 acre project size (includes ancillary retail).
- Prefer to have other convenience retail included in the development area.
- Development “style” defined – little variance in the “prototypical center”.
- This is a destination oriented shopping trip for the customer base.
- Need to be highly accessible to the residential base.

Alternative Food Stores



Alternative food retailers, Whole Foods, Sprouts, and Natural Grocers are starting to make a more extensive mark in the grocery industry. Site selections for these grocers vary by retailer. Some, like Whole Foods are concerned about finding higher income and education levels for their target demographics (which may provide a customer base with higher disposable incomes) while others are

looking for high traffic locations already in the shopping pattern of the trade area customers. Avid “healthy” consumers shop all the stores in the genre as no one “alternative grocer” carries the full gambit of healthy related products.

Characteristics normally associated with these alternative grocers are:

- Store sizes range from 13,000 SF to 50,000 SF.
- Trade areas are less defined in scale – much broader than the conventional grocer.
- Not considered a “primary” store for consumers.
- 5–10 acre project size (includes ancillary retail) .
- Prefer to have other retail included in the development area – some regional in aspect.
- Development “style” undefined – can vary in type of center.

Development Trends



Grocery Store trends have proven chaotic for the grocery industry. Grocery has turned into a highly competitive arena with a multitude of new grocery retailers making their presence felt. The days of doing nearly all your grocery shopping weekly at the same supermarket are fading into the past with some industry analysts estimating that less than half of grocery dollars spent will be in traditional grocery stores. Those changes in the industry have forced the long-time conventional grocers to re-evaluate how they do business – or in some cases, like Albertsons/Safeway to combine ownership, reduce their store chain and operate in fewer markets.

The grocery industry in the U.S. is undergoing some of the most dramatic changes since supermarkets emerged in the 1940s, according to retail analysts. Whereas a single store once served all of shoppers' food and beverage needs, consumers are now buying groceries across more than a dozen retail channels.

"In the 1990s and the beginning years of this century, the greatest threat to supermarkets and grocery stores came from supersized 'one-stop shopping' venues like supercenters and warehouse clubs," the market research firm Packaged Facts wrote in its most recent annual report on emerging grocery trends. "Today the threat is spread out among all retail channels, including drugstores, dollar stores, limited assortment chains, and — the elephant in the room — e-commerce."

Here are some of the top trends that are changing the grocery shopping landscape as noted by Business Insider:



Consumers are shopping for food and beverages across multiple channels. On average, consumers shop at five different types of stores to fulfill their grocery needs, according to Deloitte's 2013 American Pantry report. Examples of shopping channels include supermarkets (like Kroger and Safeway), supercenters (such as Wal-Mart), discount, convenience, club, and e-commerce stores. Consumers are not hitting multiple stores because they can't find everything they need in one place, according to Packaged Facts analysts. The trend is driven by the fact that few stores offer the precise mix of value, quality, and private label brands that consumers are looking for.



Shoppers want more product curation. "When a customer walks into a store of 40,000 items and only wants to buy 30 of them, that's a terrible customer experience," said Chad Arnold, president and CEO of the online grocery service Door to Door Organics. "Companies are now scaling back stores and getting them more focused to specific customers, instead of a one-store-fits-all approach." The average

square footage of supermarkets in the U.S. has been falling since 2006, and is now roughly 46,000 square feet, according to Packaged Facts. "The pendulum definitely is swinging back to smaller store formats," analysts wrote, noting that Wal-Mart is expanding its smaller-format stores. Kroger also has a small-format store called Turkey Hill Market, which averages about 6,800 square feet. Online grocers, such as Door to Door Organics, have web tools to curate products for customers. The tools can recommend products based on previous purchases, recipes, or even food allergies.

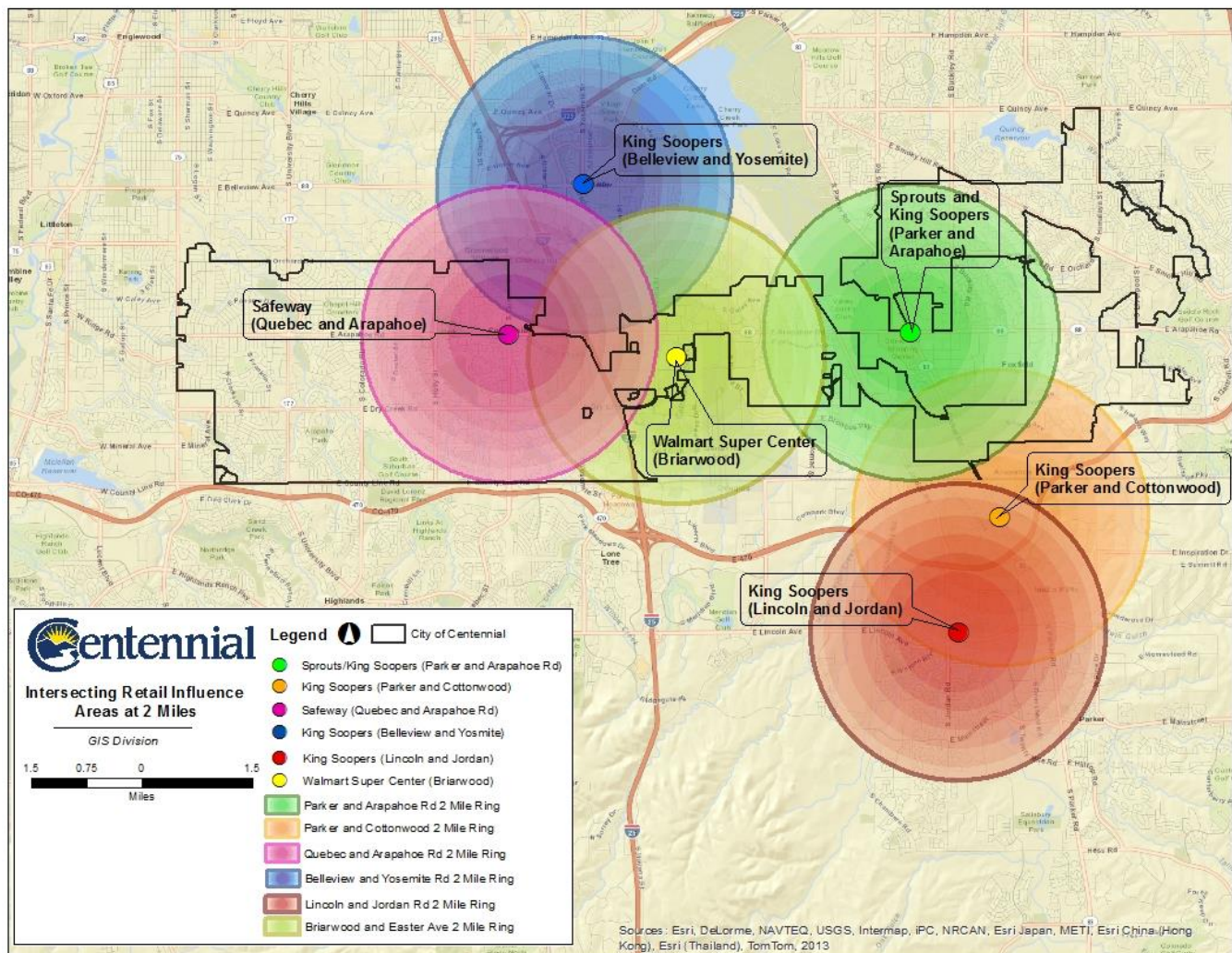


Fresh produce is a main driver for consumers in deciding where to shop. Seventy-five percent of consumers say the produce department is the most important, followed by fresh meat, poultry, and seafood (60%); store brand products (36%); local farm foods/produce (35%); and the in-store bakery (29%), according to a Packaged Facts survey. **Business Insider**

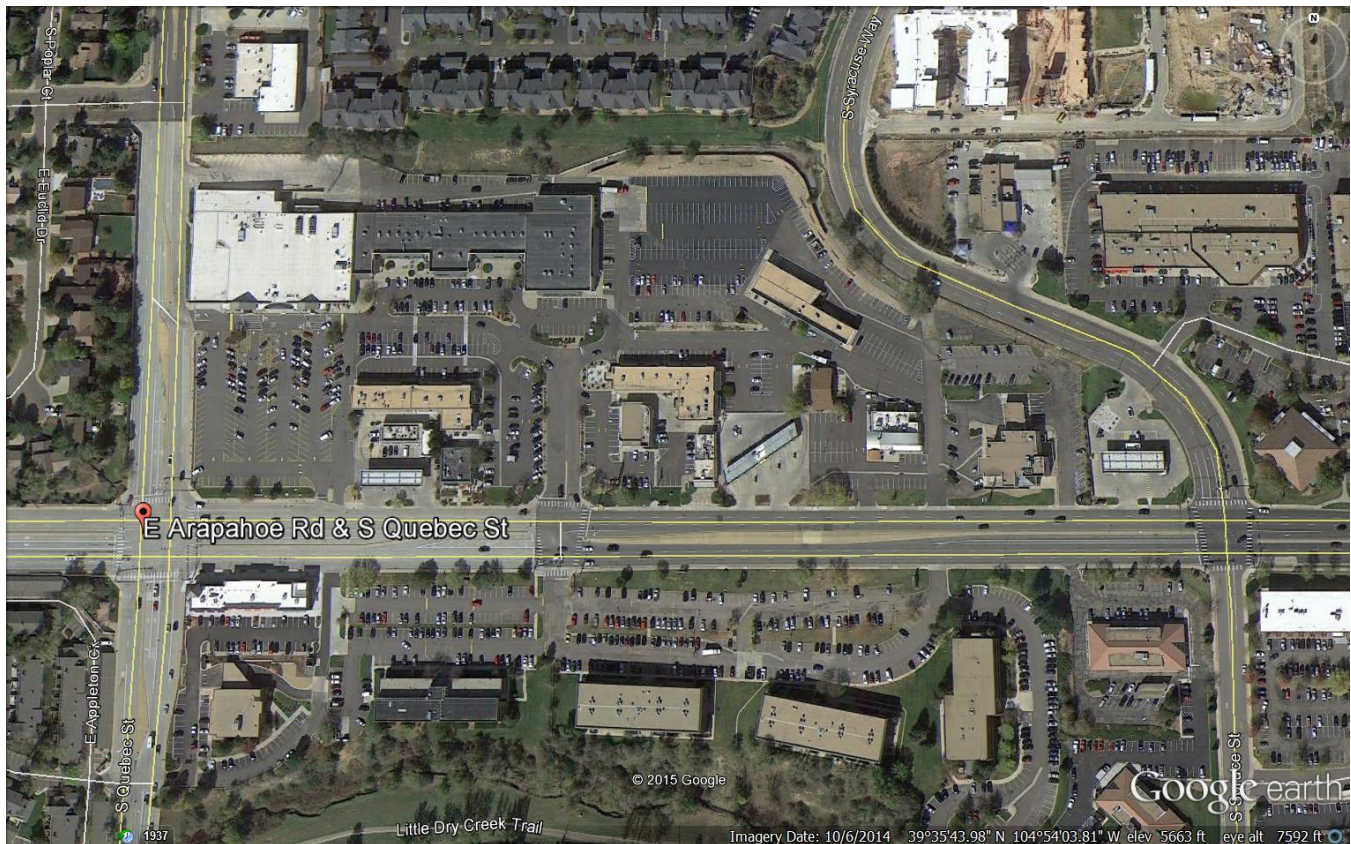
Opportunity

There is sufficient grocery coverage along the length of the corridor. With 6 grocery retailers located directly on Arapahoe Road and 3 additional grocers on the periphery there is no significant gap in services to warrant additional grocery retailing on the corridor.

This map illustrates the basic trade area of each of the grocers operating in proximity to the Arapahoe corridor. Coverage of the corridor is extensive as noted by the multiple grocers serving the trade area. (*Explanation of trade area delineation included as an Appendix.*)



Safeway Center – Arapahoe Road & Quebec



Although the coverage is sufficient in the corridor, there is opportunity to improve the Safeway center at Arapahoe Road and Quebec (Centennial).

- All of the small scale retail is ill-placed within the center, either too far back from Arapahoe, hidden by other buildings or has it back turned to the street. This scale of retail needs to be as visibly accessible as the anchor store. The current configurations are less than ideal.
- The retail is visually cluttered with no real identity from an architectural perspective.
- There is no identity to the center rather it feels like a collection of independent pads and retailers with little to no synergy.
- The Safeway Store is somewhat outdated and not representative of the newer grocery retailing trends.

Working with the center ownership to modify the layout, improve its visual appeal and create a specific identity for the center is necessary for this center to maintain any position in the overall trade area. Without significant improvements, this center will continue to erode with lower tier retailing becoming predominant for the center.

Constraints

Arapahoe Road from I-25 to Quebec –

Focusing on redevelopment of the Safeway Center could prove challenging. Making a dynamic change within the Center will be costly which is likely to be a major concern with the current ownership who have not been aggressive in making changes to the center to date. Although the Center is currently well leased, retailers tend towards the lower tier and several vacancies are in the offing which potentially will put stress on the center. Economic pressure from more vacancies will hopefully prompt the ownership to feel motivated to address any of the concerns.

The entire retailing area from Quebec to Interstate 25 needs to have more cohesion. None of the 3 centers on the north side of Arapahoe Road work well together nor provide synergy between the retailers (Sprouts, Landmark Theaters, Safeway, etc.). Developed in a strip format, this area seems impossible to navigate from a consumer perspective and does not foster a sense of “place”. With only the Safeway Center located within Centennial, it will be very difficult to impact this dynamic through planning efforts.



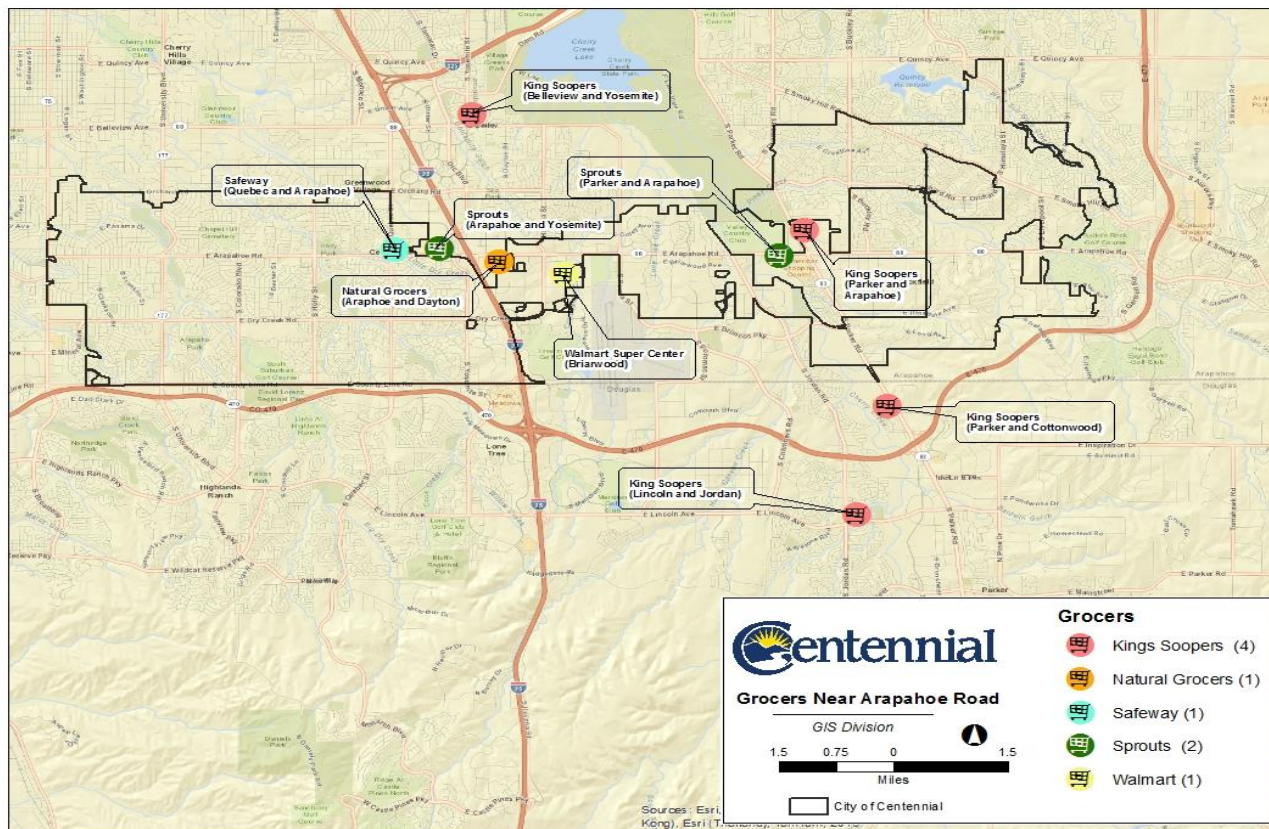
Arapahoe Road from I-25 to Parker Road – Three major factors impact the ability of additional grocery to locate along the corridor from Interstate 25 to Parker Road.

1. Existing grocery retailers serve this section of the corridor from multiple locations.
2. Lack of significant residential density in proximity to the corridor diminishes the need for additional grocery on the corridor.
3. Lack of development sites appropriate for grocery either in size or location.

These factors eliminate additional grocery from this section of the corridor.

Conclusion

Constraints are primarily based on the competitive aspect of the existing grocers Coverage of those centers swallows up any opportunity for this scale of retail to locate in the corridor.



With 6 grocery options located directly on the corridor and another 3 other grocery options on the periphery, grocery is not missing from the corridor (Safeway, Sprouts (2), Natural Grocers, Super Walmart, King Soopers (4)). Grocery has sought out sites that are more advantageous to serve the residential population from. Within the 9 grocery options, there is a variety of grocery retailing options with both Sprouts and Natural Grocers located in the corridor in addition to the traditional grocery options of King Soopers and Walmart. Expectations that additional grocery is supportable in the corridor are unrealistic.

Opportunity to update the Safeway Center at Arapahoe and Quebec would increase the quality of grocery retailing for the western portion of the corridor and ensure longevity for Safeway and the other retailers in the center.

Mid-Range Retail

Characteristics



Mid-range refers to the trade area associated with certain retailers. Generally named “junior anchors” due to their smaller store sizes in comparison to “anchor” type retailers, these retailers seek trade areas of 5–7 miles. In comparison, super-regional retail looks for trade areas 15 miles or larger.

Junior anchors can range in size from 15,000 to 50,000 square feet – their characterization as a junior anchor is less about store size and more about the type of retailer they are. Mid-range retail is generally comprised of specialty retailers that “specialize” in goods within a specific range such as hardware, books or electronics.

General merchandise retailers such as Walmart and Target also fit within this category of mid-range retail and are considered “anchors” versus “junior anchors”.

Characteristics normally associated with mid-range retail are –

- Store sizes vary depending on the genre of the retailer.
- 5–7 Mile Trade Areas
- Population numbers between 30,000 to 100,000 depending on the retailer.
- High-profile locations with Interstate or major arterial visibility.
- Co-tenancy with other junior anchor retailers.
- Co-tenancy with general merchandise retailers.

Development Trends

There are a number of trends affecting retailers who rely on mid-range regional trade areas.....



E-Commerce The introduction of multiple platforms for e-commerce has certainly had an impact on the retail world. Comfort and confidence using these new forms of retailing are growing with consumers. The “Echo Boomers” or “Generation Y” who have been using technology as long as they have been around has produced a large shopping segment which are quite comfortable with internet shopping. Approximately 87% of US internet users over the age of 14 or 178.5 million people will browse or research products online this year. Of that group, 83% will

make an internet purchase. Knowledge @ Wharton's.

Omni-channel retailing will become mainstream by the end of 2014. The line between online and brick-and-mortar retailers continues to blur, especially in terms of operations, sales, and footprint. Retailers that haven't adopted omni-channel retailing are racing to catch up to businesses such as Nordstrom, Apple, and Best Buy. RIS News' Omni-channel Readiness report, released in October 2013, found that retailers' top priority for the next 12 months is shifting to a single transaction platform that unifies point of sale, e-commerce, and m-commerce. Some of the bigger boxes, such as Macy's, are turning their stores into distribution centers, which has enabled them to more tightly integrate their online and physical presences. Some restaurants are increasingly offering online ordering. Showrooming is less of a threat as retailers have innovated ways to increase engagement in-store. We also expect more online businesses to open physical stores this year. The growth of omni-channel retailing demonstrates the relevancy of both community shopping centers and online retail to the industry overall. Kimco (Edited)

Self-Cannibalization So named “category killers” because they could “kill” all local competition, these retailers succeeded in saturating marketplaces and have now reached the point where their main competition is themselves. With their success in specific categories, they have come into the sight of mass-market merchandisers such as Walmart, Target, Costco, Amazon, etc. who are looking to add to their business by incorporating merchandise associated with the junior box retailers.

Precision Shopping Busy lifestyles have resulted in less time dedicated to shopping. Smaller format stores are becoming more popular for those customers interested in “precision” shopping. The trend seems to be “consumers shopping with a mission” and less time looking around for an item. Retailers are addressing this by focusing on the “experience” inside the store to help attract shoppers to linger and perhaps spend more than originally set out to. The concept of the “experience” is also translating into the retail mix and physical elements of the shopping center itself.



Shopping centers will become 24-hour hubs... Landlords are working harder to create complementary tenant mixes that keep shoppers coming to a shopping center all day long, weaving it more tightly into day-to-day living. As a result, new amenities, entertainment, Wi-Fi, wellness concepts, food

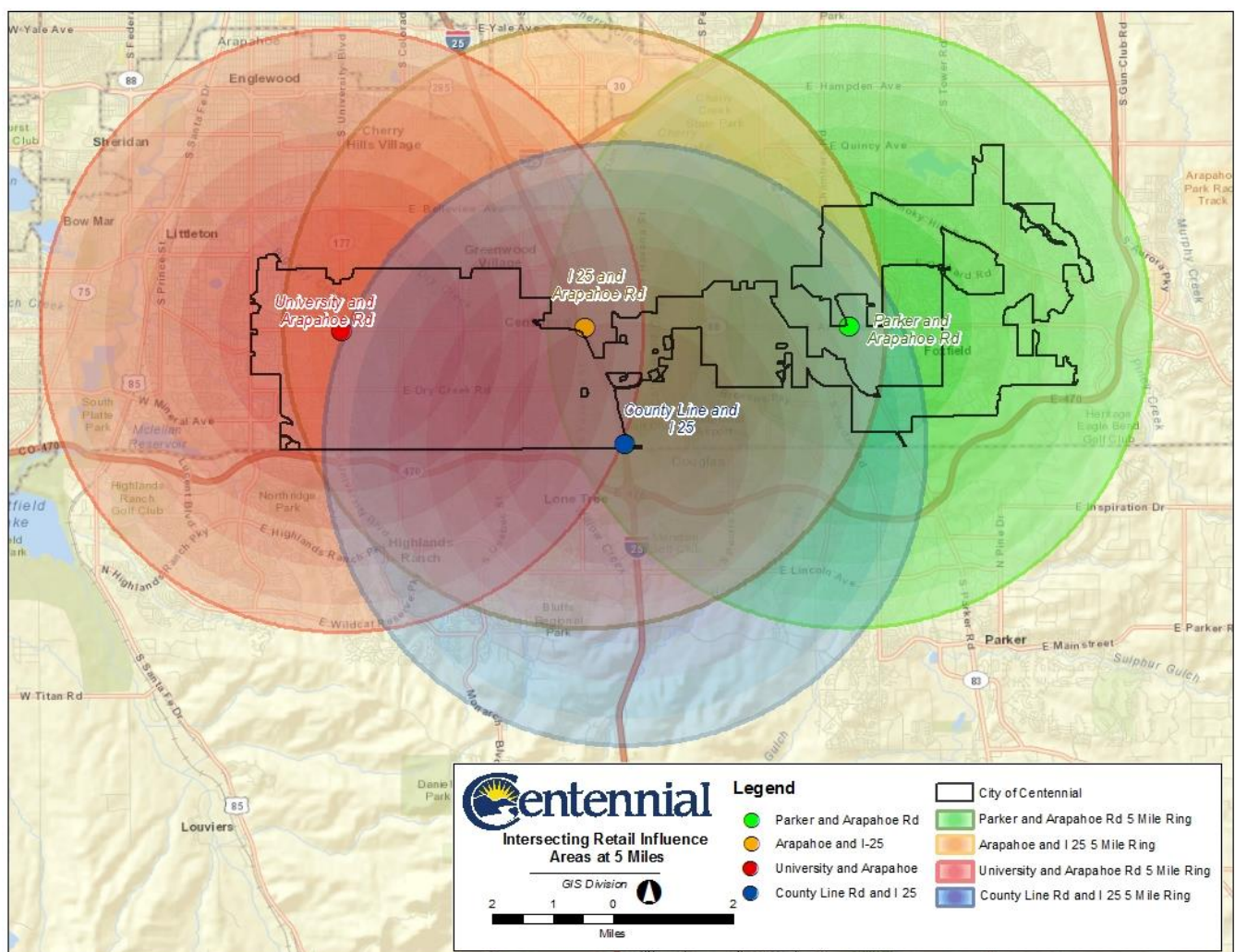
purveyors, medical centers, and educational uses will become part of the fabric of retail lineups in 2014. Health-conscious consumers are driving the growth of health-oriented retailers, including fitness centers, organic food stores, and healthy restaurants. As demand for medical services grows, it will be commonplace to see a doctor or urgent care facility in nearly every retail shopping center — no different than a drug store or supermarket.

Kimco (Edited)

Opportunity

Mid- range retail surrounds the Arapahoe Road corridor. There is no gap in services to warrant additional mid-range development within the Arapahoe Road corridor.

This map illustrates the basic trade area of each of the grocers operating in proximity to the Arapahoe corridor. Coverage of the corridor is extensive as noted by the multiple grocers serving the trade area. *(Explanation of trade area delineation included as Appendix B.)*



Constraints



Three major factors impact the ability of mid-range retail to locate along the Arapahoe Road corridor.

1. Existing mid-regional centers, Cornerstar and Centennial Promenade serve the corridor from their locations. The Cornerstar project at Arapahoe and Parker Roads is the most direct “hit” to the area. Its area of influence is significant to the corridor and emphatically eliminates other opportunities for this scale of retail to establish itself in the corridor.
2. Lack of significant residential density in proximity to the corridor is a contributing factor in terms of location of services for mid-range retailing. One of Cornerstar’s primary location criteria was the ability to easily pull customers from greater distances. The ability to extend significantly into the population pockets north and south of this center via Parker Road was a factor on determining location of the center.
3. Shopping centers of this size can exceed 40+ acres, with the built environment of Arapahoe Road, there is no site available for development of this scale.

These factors eliminate additional mid-range retail from the corridor.

Conclusion



Constraints are primarily based on the competitive aspect of the existing mid-range retail centers Cornerstar and Centennial Promenade. Coverage of those centers swallows up any opportunity for this scale of retail to locate in the corridor.

Mid-range retailing is not missing from the corridor. These retailers have sought out sites at high profile locations surrounding the corridor where they found advantageous trade area dynamics to serve the residential population from. Expectations that additional mid-range retailing is supportable in the corridor are unrealistic.



Super–Regional Retail

Characteristics



Super –regional refers to specifically to large scale “mall” type projects/developments. Typically thought of as a fully enclosed shopping area, the concept was first developed in the United States in the late 50's and 60's. Today, the largest enclosed mall ever is the South China Mall in Dongguan, China and is 9,600,000 square feet.

Wikipedia

The concept of the mall started to evolve around 2000, when the retail development world started experimenting with the conventional mall approach by developing “lifestyle” centers that combined the traditional retail functions of a shopping mall with leisure amenities in an outdoor format. Considered the “incarnation of the traditional mall” for a period of time, “lifestyle” centers were the “darling” of retail development with numerous projects in planning and development. As the recession unfolded, regional malls – rather than being pushed to the brink, weathered the storm better than any of the new upstart lifestyle centers. Post–recession, neither enclosed malls or lifestyle centers are at the forefront of development but those that survived the recession are finding their way back to success.

Other types of retail that fit within the super–regional category include Outlet and club membership stores such as Costco and Sam’s Club. (Club Membership population criteria is in the 250,000 range which is in between mid–range and super–regional. Additionally, they are “stand alone” retailers not needing the typical co–tenancy required in just about every other retail genre.)

Characteristics normally associated with this “type” of retail are –

- Retail focus is primarily soft goods (clothing).
- Store size of retailer does not dictate super–regional classification.
- Larger trade areas 15–20 mile trade areas.
- Population numbers around between 500,000 to 1,000,000.
- High–profile locations at Interstate cross sections.
- Co–tenancy or in the vicinity of other super–regional retailers.
- 65% of sales come from the primary trade area.

Development Trends

There are a number of trends affecting super-regional retail.....



Enclosed Malls The trend seems to be shifting back to traditional enclosed malls with traditional mall retailers expanding their occupancy in malls and newer concepts emerging in this area of retail. The recession has affected the viability of lower grade malls and the market can expect that there will be fewer regional malls than exist today (i.e. Westminster Mall). Top-tier malls seem to have escaped the challenge of alternative centers and are enjoying once again prominence in the markets they operate in.



Outlet seems poised for great expansion throughout the US with some estimating that 100 additional outlet malls could be added throughout the country in the next 10 years. Simon, Tanger, Taubman, AWE-Talisman, CBL have all started building and buying outlet centers in the last few years. Decades ago, outlet centers primarily were rundown shopping centers in small towns that sold retailer's excess inventory or

admittedly flawed merchandise at a discount. Now, the format has evolved to include outlet centers in major cities and to include national retailers selling "value" merchandise specifically manufactured for the outlet store.

These developments are considerable in size accommodating over 300,000 square feet of development and requiring sites in the 40-50 acre range. Colorado currently has 4 outlet malls operating in the State (Castle Rock, Silverthorne, Lakewood, Loveland) - Simon has just announced the development of a 5th to be located at 136th & Interstate 25 in Thornton. Expected to open in 2017, this will be the first "state of the art" outlet mall in Colorado and is anticipated to have an impact on the current outlet malls, most impacted will be the Loveland outlet center which is expected to close.

The new center in Thornton along with The Mills in Lakewood and The Outlets at Castle Rock will serve the entirety of the metropolitan Denver area.



E-Commerce The introduction of multiple platforms for e-commerce has certainly had an impact on the retail world. Comfort and confidence using these new forms of retailing are growing with consumers. The “Echo Boomers” or “Generation Y” who have been using technology as long as they have been around has produced a large shopping segment which are quite comfortable with internet shopping. Approximately 87% of US internet users over the age of

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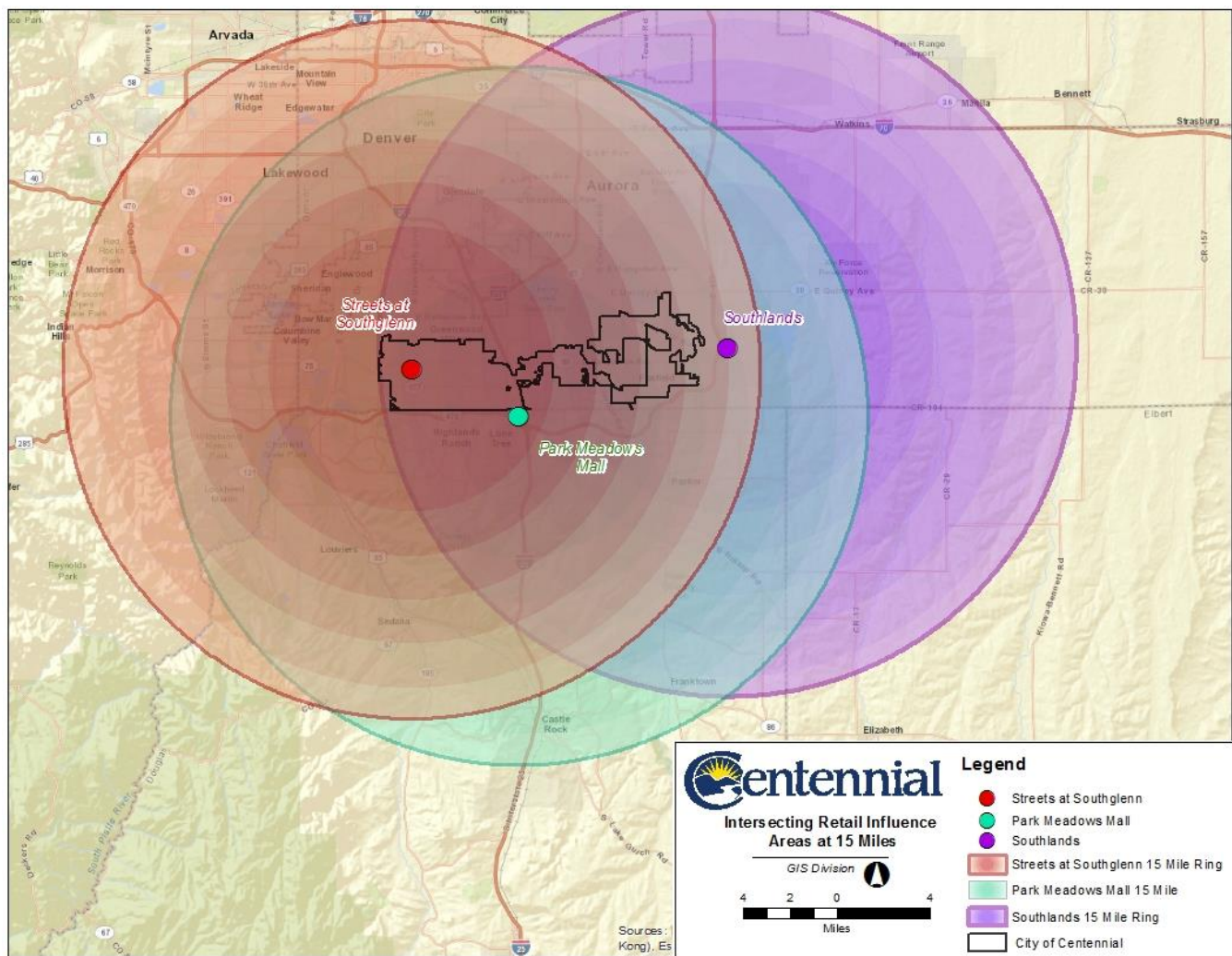
Omni-channel retailing will become mainstream by the end of 2014. The line between online and brick-and-mortar retailers continues to blur, especially in terms of operations, sales, and footprint. Retailers that haven’t adopted omni-channel retailing are racing to catch up to businesses such as Nordstrom, Apple, and Best Buy. RIS News’ Omni-channel Readiness report, released in October 2013, found that retailers’ top priority for the next 12 months is shifting to a single transaction platform that unifies point of sale, e-commerce, and m-commerce. Some of the bigger boxes, such as Macy’s, are turning their stores into distribution centers, which has enabled them to more tightly integrate their online and physical presences. Some restaurants are increasingly offering online ordering. Showrooming is less of a threat as retailers have innovated ways to increase engagement in-store. We also expect more online businesses to open physical stores this year. The growth of omni-channel retailing demonstrates the relevancy of both community shopping centers and online retail to the industry overall. Kimco (Edited)

Opportunity

Costco serves the trade area from their location at E470 & Parker Road and Park Meadows.

Sam's Club serves the trade area from their location at E470 & Park Meadows Drive.

This map illustrates the basic trade area of each of the super-regional centers operating in proximity to the Arapahoe corridor. (*Explanation of trade area delineation included as Appendix B.*) Super-regional retailing needs are met by Park Meadows Mall, Streets at Southglenn and Southlands. There is no gap in services to warrant additional super-regional retail development within the Arapahoe Road corridor.



Constraints



Two major factors impact the ability of super-regional retail to locate along the Arapahoe Road corridor.

1. Existing super-regional centers/retailers, serve the corridor from their locations. All 3 centers include the Arapahoe corridor within their influence area.
2. Shopping centers of this size can exceed 100+ acres, with the built environment of Arapahoe Road, there is no site available for development of this scale.

The lack of significant residential density in proximity to the corridor is not a contributing factor for this scale of retail. Trade areas for super-regional retail vary between 15–20 miles, with that size of a trade area, varying residential population density would be expected.

Constraints are entirely based on the competitive aspect of the surrounding super-regional retail locations/centers that influence this area. Coverage of those locations/centers swallows up any opportunity for this scale of retail to locate in the corridor.

Conclusion



Super-regional is not missing from the corridor. Developments located at high profile locations in close proximity to the corridor have provided this scale of retailing to the overall larger trade areas associated with this super-regional retail. Expectations that additional super-regional retailing is supportable in the corridor are unrealistic.

Main Street/ Mixed Use Retail

Characteristics



The lack of central spaces where people come together in suburban areas has led to communities searching for opportunities to create that sense of “community” through development. In the mid to late 2000’s, the answer seemed to be creation of mixed use developments with a “main street” design focus. Many of these suburban “main streets” were incorporated into larger developments aptly

Characteristics normally associated with this “type” of retail are *(Congress for the New Urbanism)* –

- Short segments of arterial or collector streets –few blocks in length.
- Grid or interconnected system of local streets.
- Streets are walkable with minimal or no driveway access.
- Land uses are composed of compact, mixed use development with a strong emphasis on retail and entertainment and in some cases, residential.
- Buildings are low-scale and have storefront facades oriented to the street without setback.
- Parking lots and/or garages are located behind or to the side of buildings.
- Public parking consists of on-street parking.
- Street sides support active uses such as street cafes, social interactions.
- Architecture of the buildings is a unified urban design.

Development Trends

Main street retailing is evolving to mean mixed use development. Many of the aspects needed to have a thriving main street retail experience encompass the concept of mixed uses. Incorporation of housing and entertainment elements are necessary building blocks to ensure the complex “fabric” that makes for a successful creative retailing project.



Don't Get Mixed Up on Mixed-Use

Citizens, politicians, and planning officials have embraced the need to allow for walkable neighborhoods across North America and mixed-use is an essential component for achieving walkability. However, the term mixed-use has held different meanings in different places over the past 40 years or so.

For example, mixed-use zones have usually had to declare a primary and secondary use with both use's development standards redundantly stacked together and the primary use, such as residential, controlling the building's configuration, orientation and disposition — thereby marginalizing the building's ability to effectively host other commercial or office uses. Also, a mixed-use zoning designation meant that a land owner had the right to 'choose' a specific use, such as either commercial or residential. While the zoning district had a mix of uses, the implementation was single-use.

Today, the most common misunderstanding I find about mixed-use is that most people think it equates, on any street or in any context, to a storefront with housing above.

In short, mixed-use makes for three-dimensional, pedestrian-oriented places that layer compatible land uses, public amenities, and utilities together at various scales and intensities. This variety of uses allows for people to live, work, play and shop in one place, which then becomes a destination for people from other neighborhoods. As defined by The Lexicon of the New Urbanism, mixed-use is multiple functions within the same building or the same general area through superimposition or within the same area through adjacency... from which many of the benefits are... pedestrian activity and traffic capture.

While mixed-use can take on many forms, it's typically categorized as either A) vertical mixed-use buildings; B) horizontal mixed-use blocks; or C) mixed-use walkable neighborhoods.

PLACEMAKERS 2013

Opportunity

There are a few primary opportunities along the Arapahoe Corridor that could be the focus of introducing main street/mixed use retailing to the corridor. So much of the corridor has developed in a strip format that changing that development perspective to allow more dense mixed use along the corridor would be a welcome change.

1. SEQ Arapahoe Road & Yosemite



The potential development area has strong building blocks already in place that would contribute to a successful redevelopment into a main street/mixed used project:

- Zoned Urban Center the area is already designated for urban redevelopment.
- Strong residential support in direct proximity to the development area.
- Adjacency to the Interstate system.
- Daytime population in proximity to the development area.
- Anchoring retail established at the intersection (Sprouts).
- High volume traffic counts on the main arterial.
- Secondary arterial (Yosemite) is a well-established north/south connector.

2. Arapahoe & Potomac

This intersection lacks the maturity of the Arapahoe & Yosemite area but over time could possess the same opportunity if the building blocks are able to be established. Currently, the intersection has:

- Zoned General Commercial which allows for mixed-use development.
- Daytime population in proximity to the development area.
- High volume traffic counts on the main arterial.
- Proximity to the City Hall development area.
- Undeveloped land at the intersection.

Constraints



The concept of creating “main street” retail has been and continues to be a highly discussed and debated topic in retailing circles. Retailers are especially sensitive to the design aspects associated with a non-traditional retailing opportunity like a “main street”. The access and building orientations commonly found with a “main street” concept prevent the retailer from having visual connection with the major street and less than direct access to their buildings. Even in today’s improving retailing environment, these aspects could be seen as limitations. National retailers tend to shy away from these opportunities preferring to grow their store bases in in less risky development opportunities.

NEW SUBURBANISM: REINVENTING INNER-RING SUBURBS (EDITED)

By D. Jamie Rusin, Sean Slater, and Ryan Call
July 8, 2013

As inner-ring suburbs in the United States become denser, demand for access to nearby walkable urban environments is rising. Residents are looking for shorter driving distances to commercial, cultural, leisure, and work opportunities. Municipalities are also interested in promoting compact development near transit. As a result, the next big wave of development will focus on creating nodes of mixed-use infill projects in these suburbs.

The challenge is to integrate these nodes into suburbs that were originally built to accommodate the automobile, with single-use zoning that often limited mixed-use development.

These kinds of developments have had success with the residential component; the challenge is getting commercial uses to thrive. It takes significant population density to support a retail center, especially a regional one. In addition, a new Main Street-style retail project may have difficulty competing with existing regional retail projects in the suburbs. The idea of “build it and they will come” may not pan out for developers unless the demographics are right, the population numbers support it, and individual uses are timed to market needs.

Whereas the revitalization of the core of cities was the siren call for previous generations of urban planners, the focus now should be on redeveloping the anonymous arterial roads, dispersed uses, and strip centers that dominate so much of the American landscape. It is possible to create vibrant, pedestrian-friendly environments that take cues from cities built before the age of the automobile, while also accommodating the automobile in ways that work for the 21st century. It is possible to combine national chain retailers with more local and regional uses in environments that convey a sense of authenticity and connection to the specific qualities of the community. It is possible to locate a variety of uses near each other in ways that allow for flexibility in the kinds of uses and enable each use to be added only when market demand exists. The result will be a radical reworking of the nation's suburbs—a new suburbanism.

KP & Associates

Arapahoe & Yosemite



Transitioning this area into a retail main street/mixed use project will be difficult at best when considering the existing improvements. Given the specific design elements needed for this type of development, transitioning the existing buildings may not be feasible leading to a complicated redesign and development phasing. Although this area is well situated to support this type of development, the existing built conditions may prohibit the transition in a meaningful way.

Arapahoe & Potomac

The intersection of Arapahoe & Potomac has the advantage of not being fully developed yet and therefore has the opportunity to accommodate a different development scheme. The building blocks that come along with a more mature trade area such as Arapahoe & Yosemite are not in place yet and will hinder a main street/mixed use project from getting off the ground. Additionally, the inability to place anchor retail in proximity could also hinder interest in this type of development with developers choosing to go in a more traditional development route.

Conclusion



The inclusion of main street/mixed use retailing development should definitely be considered by the City. There is a significant amount of conventional retailing opportunities that could be re-energized by utilizing mixed use development on the corridor. Inclusion of all facets of mixed use (residential, commercial and community) design elements will be critical to the success of any project.

Automotive Retail Sales

Characteristics



The Right Site

Primary research performed from 2009 through mid-2014 reveals some common characteristics that determine if a site is suitable to support a successful new-car dealership in almost any market.

Intuitive as it may seem, exposure to traffic is the most important characteristic of a good site. An auto dealership site should be easily visible from a surface street with a traffic count from 10,000 to 50,000 vehicles per day. Suitable sites are almost always near a significant demand generator, such as a regional mall, and are convenient to commercial consumer amenities such as restaurants.

Proximity to other dealerships is also vital. Auto dealers prefer to be clustered, as they feed off each other's traffic — and franchise agreements protect them from the same brands being offered by competing dealers.

Even today, when car buyers increasingly research makes and models online, potential buyers who use smartphones while visiting a dealership are almost three times as likely to visit other dealerships, according to a Placed Inc. study. More than a third are attracted by online advertisements from a nearby competitor, underscoring the importance of remaining close to the competition.

The appropriate site size varies by market and anticipated sales and service volumes, but is typically at least eight times larger than the planned building area, with lower ratios in urban markets. Adequate frontage is critical to display new and used vehicles.

Overall, sites appealing to automobile dealership operators and developers are typically prime commercial sites but not top-tier sites. Auto dealership sites tend to be priced higher than sites marketed for traditional destination retail or mini-storage projects and lower than sites appropriate for power centers.

The cost of selecting the wrong site can be enormous. Historically, most real estate professionals regarded auto dealerships as prime candidates for alternative uses because they generally are large sites with good commercial locations. However, the large supply of dealerships that became vacant in the years following the Great Recession gave lenders and property owners a firsthand lesson on how few re-adaptive uses actually make financial sense for most failed dealerships.

CCIM Institute

Development Trends

Major trends reshaping the automotive retail industry.....

McKinsey has combined existing insights on global trends with research on customer preferences, its insights into the automotive industry, and lessons learned from other industries. As part of this analysis, we have identified three key trends that we expect to significantly change the automotive retail landscape as we know it today.

Changes in customer behavior call for improved touch point management -

Compared to a decade ago, customers today are experiencing new sales processes in many industries and categories, such as unique shopping experiences in branded electronics stores, online retail with advanced customer relationship management, including intelligent product suggestions, or seamless integration of online and offline business. Automotive OEMs and dealer networks are aware of these trends and have started piloting new concepts, accompanied by big public-relations moves.

Car buyers nowadays design their decision and experience journey individually from a multitude of different touch points. McKinsey's 2013 Retail Innovation Consumer Survey showed that over 80 percent of new-car and almost 100 percent of used-car customers now begin their journey online, meaning that dealers have lost their role as the primary source of information as well as their power over the information shared and their ability to influence the customer. As might be expected, the role of online sources is even more pronounced among customers between the ages of 18 and 34. Close to 90 percent of these customers use an extensive variety of online sources - OEM and dealer Web sites, social media, blogs, and forums - to gather information and compare offers, moving the purchasing decision towards the online world. The rise of mobile technologies, tablets, and social media is also redefining interaction and communication patterns, while technological innovations, such as mobile apps, multimedia walls, and 3D configurators, are opening up new opportunities to transform the in-store experience.

Consequently, the number of customer visits to a dealer before the purchasing decision is made has tumbled: dealers often get just one chance to strike lucky. McKinsey's research has shown that OEMs and dealers need to fight an online battle to earn the right to get that one chance. This includes optimizing their own Web presence, but also integrating traffic from third-party Web sites, such as Kelley Blue Book, Consumer Reports, or JD Power in the US. Many customers find these third-party Web sites very useful for comparing different models side by side, making it hard for OEMs and dealers to compete for attention in the online space. Customers are increasingly well informed and thus more demanding, while dealers are not yet sufficiently prepared for the new challenges ahead.

McKinsey & Company Innovating Automotive Retail

Opportunity



Automotive dealerships in the broadest sense could be similarly categorized along with retail. As noted in the article above, both seek locations that offer visibility and accessibility to a broader trade area.

In comparing auto dealerships to retail.....

Traditional Retail –

- Retail generates significant sales tax revenue.
- Retail generates consistent customer trips providing more synergy to the area beyond the actual development.
- Retail is evolving to develop projects that provide for a stronger “customer experience” which means limiting the impact of large parking fields.

Automotive Sales/Service –

- Sales tax revenue is limited with automotive sales due to the structuring of where that tax is distributed to.
- Customer base is limited due to the infrequency of which consumers buy cars (in comparison to retail) translating to a much lower trip count. Additionally, changing technology is allowing customers to utilize on-line options to evaluate cars. This technology has dropped the number of customer visits to a dealership before buying a car from 5 down to 1 further limiting the ability of auto dealerships to provide synergy with surrounding development.
- Development of an auto dealership is still predicated on showcasing the automobiles.

There is no evidence that as an activity generator, automotive sales/service dealerships provide great synergy with the surrounding area. Given their limited customer base and infrequency of customer trips it is unlikely that this scenario is correct. In the case of retail co-tenancy, retail is benign to auto dealerships as they do not factor into their assessment of a trade area.

There are 11 car dealerships on the eastern Arapahoe Road corridor. These dealerships were attracted to the high volume traffic on Arapahoe Road and their ability to cluster together creating that very important synergy to feed off of each other.

Constraints



The primary constraint for auto sales is the spacing and area requirements adopted by the City. The setbacks and spacing criteria has a profound impact on location criteria for auto sales basically having the impact of keeping additional dealerships off of the Arapahoe Road corridor.

For the existing dealerships, the regulations are potentially prohibitive for the dealers to improve their current locations. Many are experiencing a need to expand but do not have the opportunity through zoning/regulations to do so. Many of the dealerships do not feel that they are able to “be the best they can be” with the current restrictions in place.

Conclusions



Even with the Land Development Code restrictions, with 11 major dealerships on the corridor + several secondary dealerships, it seems clear that auto sales will continue to be a large commercial component of the corridor for the foreseeable future. There is virtually no alternative locations for these dealers to relocate to in or outside of Centennial so for “better or worse” these dealers will be part of the community.

Given the scarcity of zoning available for auto sales in the entire region, the restrictions are not likely to produce turnover of these dealerships to non-automotive uses. Understanding that the auto sales element will likely be a long term use on the corridor, the City should consider whether amending the restrictions to allow the dealers to conduct business with current and modern facilities would be a better scenario for the overall economic health of the corridor. Should these locations start to transition away from the top tier brands to lower tier/used car dealerships, the impact to the corridor would be negative.

Existing Land Use Regulations



The City has recently updated its Land Development Code (LDC) and legislative rezoning for commercial properties throughout the City. There are some zoning and development standards that target specific land uses and development types within the Arapahoe Road corridor.

Table 12-2-408

Spacing and Area Requirements for Selected Commercial Uses

(Full Table Attached As An Appendix)

Arapahoe Road ROW

Vehicle Sales, Rental & Service – 1,500 Feet

Convenience Stores & Gas Stations – 300 Feet*

Restaurant Drive-In or Drive-through – 300 Feet*

* From Yosemite to South Parker Road

How do these regulations affect the development potential and direction of the corridor –

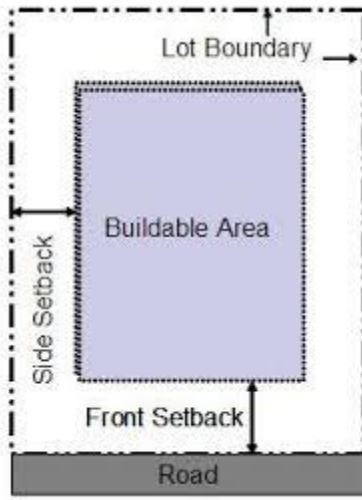
The regulations have a profound impact on the corridor serving to limit or eliminate development in those areas being restricted. The requirements are excessive in terms of the development options on the corridor where the lots are smaller and not as deep (north/south) resulting in the targeted uses not being able to comply with the regulations. Consequently, the regulations have the impact of dissuading these uses from locating on the corridor.

Looking at the City of Aurora, in their restricted areas, they have made a drive-through a conditional use subject to approval from the Planning Commission. Drive-throughs are allowed in other areas of the city without restrictions. The conditional use process is much more “developer friendly” as it allows a development to offset negatives with positives in order to develop. *i.e. if a parcel cannot accommodate a 300’ setback, it may mitigate that issue by adding more landscape plantings or enhanced architecture.*

The Town of Parker does not restrict drive-throughs in their commercial district zoning.

KP & Associates

Alternatives



Retention of the requirements will result in some desirable development/redevelopment not going forward in the corridor. Using setback/spacing criteria is too basic and results in a “one size fits all” perspective when the type of retail being considered does not. For the corridor to grow and remain healthy from a retailing perspective, the requirements are not nearly fluid enough to accommodate the changing perspective of retail. Retailing and retailers are dynamic and ever changing requiring the development criteria used by a municipality to have the same qualities.

Modification of the requirements will not alleviate the primary concern – the use of setback/spacing criteria to influence development/redevelopment on the corridor. A more comprehensive approach to development design for these retailers is necessary.

Alternate Requirements should be strongly considered. Utilizing a special zoning district directed at the specific uses (vehicle sales, convenience stores, restaurant drive-throughs) which encompasses additional design considerations that are not tied to setbacks/spacing would provide the fluidity necessary for these types of retailers to develop/redevelop on the corridor in a fashion acceptable to the City.

Sec. 12-3-701 Nonresidential and Mixed-Use Development Standards (Edited)

- A. Generally. The standards that are applicable to nonresidential and mixed-use development are provided in Table 12-3-701, *Nonresidential and Mixed-Use Standards*. The table includes provisions for minimum landscape surface ratio ("LSR"), maximum building height, minimum lot area and minimum street frontage. Where Division 2-4, *Limited and Conditional Use Standards*, sets out standards for the LSR, height, lot area, and/or frontage of a proposed use, the standards that are specified in Division 2-4 supersede the standards of this Section.
- B. Standards. The LSR, minimum area of parcels proposed for development, minimum street frontage, and maximum building height shall be as set out in Table 12-3-701, *Nonresidential and Mixed-Use Development Standards*.

Table 12-3-701 Nonresidential and Mixed-Use Development Standards												
District	AG	RS	RA	RU	CG	AC	UC	BP	I	ED	OSR	
Minimum LSR (%)	60	35	20	15	15	10	See Division 4-3, Form Standards for UC District	25	15	50	80	
Minimum Area of Parcel Proposed for Development	5 ac.	50,000 sf.	20,000 sf.	10,000 sf.	1 ac.	NA		1 ac.	1 ac.	NA	NA	
Minimum Street Frontage (ft.)	200	150	100	75	125	NA		125	125	NA	NA	
Maximum Building Height (ft.)	30	30	30	30	50	50		See Division 2-2	50	30	20	

Effective on: 1/12/2014

How do these regulations affect the development potential and direction of the corridor –

The opportunity parcels along the corridor are primarily zoned CG – the regulations as written are not prohibitive under that category and are similar with other municipal standards. Most if not all development would be able to accommodate those standards.

Sec. 12-4-202 Drive-In or Drive-Through Restaurants

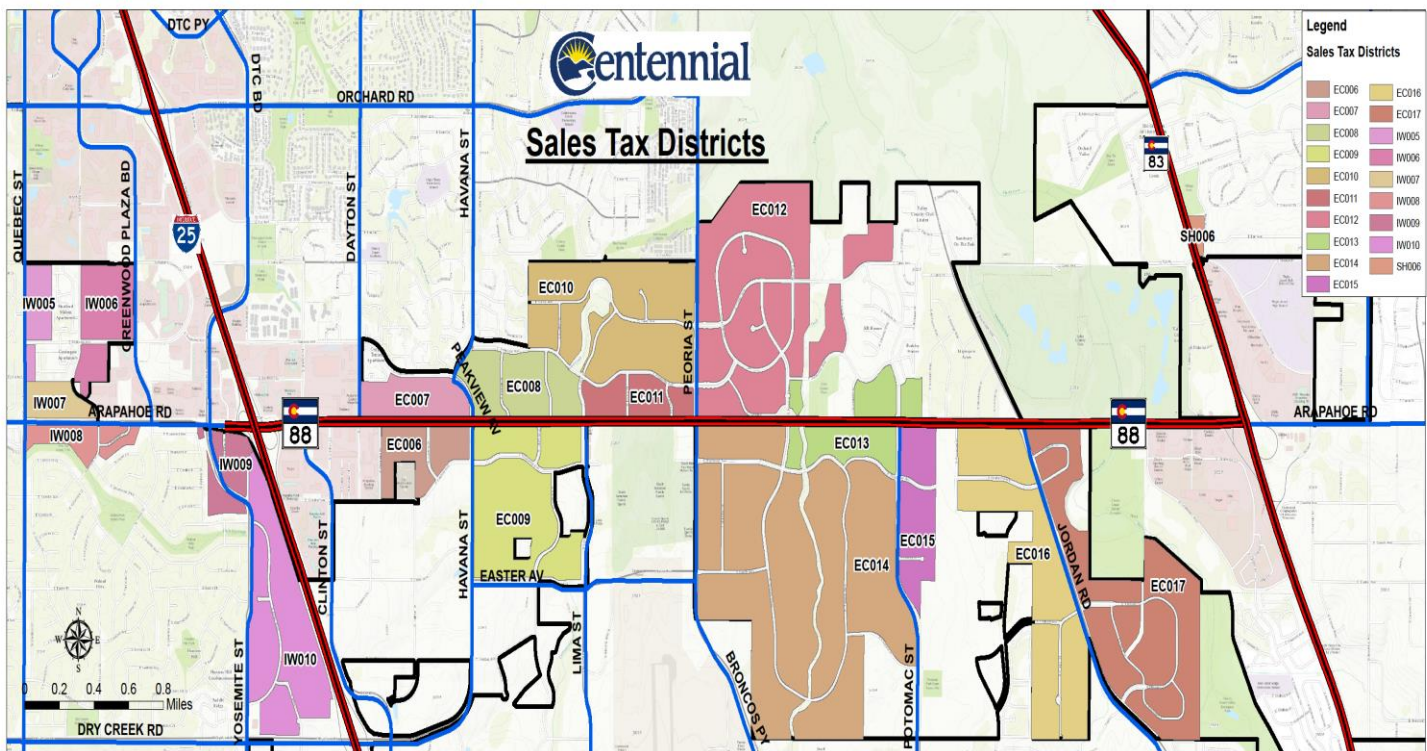
- A. Design Requirements. The following requirements shall be met for all new or redeveloped drive-in or drive-through restaurants.
- B. Access, Circulation and On-Site Parking.
- C. Setback from Rights-of-Way.
- D. Architectural Design.
- E. Lighting Requirements.
- F. Landscaping / Hardscaping.
- G. Operational Requirements.

(A complete copy of the requirements is attached as Appendix ____)

How do these regulations affect the development potential and direction of the corridor –

The design requirements as written are not prohibitive under that category and are similar with other municipal standards. Most if not all development would be able to accommodate the requirements.

Fiscal Impact



Arapahoe Road corridor generates approximately 1 / 5th of the City's overall sales tax revenue.

City of Centennial Arapahoe Road Retail Study Sales Tax Received from Adjacent Sales Tax Districts by Year		
Year	Combined Sales Tax Districts' Sales Tax Collection *	% of Total City Sales Tax**
2012	\$6,622,812	22.29%
2013	\$7,708,359	22.19%
2014	\$7,730,693	22.75%

* Sales Tax Districts adjacent to Arapahoe Road from Quebec to Parker Road.
** Total sales tax does not include sales tax from audit revenue.

Demand vs Capacity

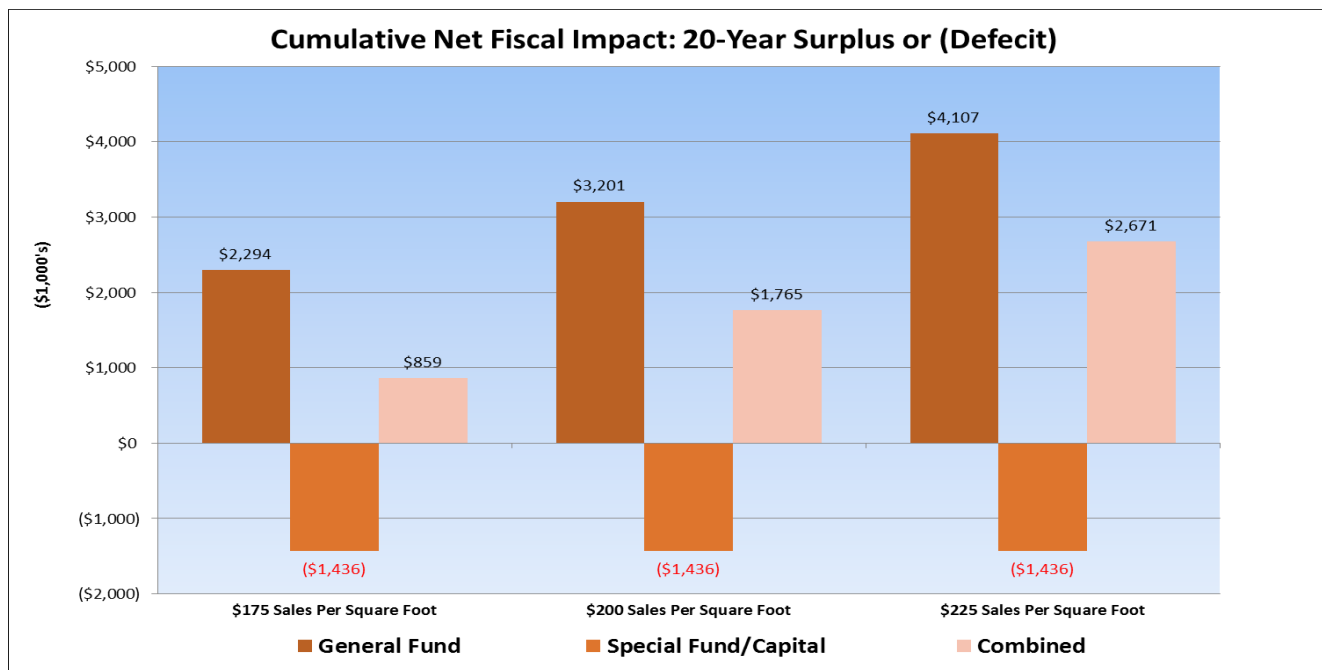


As this analysis has pointed out, convenience retail is the primary retailing genre for expansion within the corridor. With only a few opportunity sites available for convenience retailers, the capacity for this scale of retail to expand significantly is limited. Interest in the corridor for convenience retailing will always be strong given the corridor's attributes of high traffic counts and good daytime demographics. Limited site opportunities coupled with the fastest growing retail segment with quick serve/fast casual retailers results in the demand being higher than the capacity to accommodate it.

Looking at the current opportunity sites –

19.0 +/- Developable Acres x 10.0 FAR* = 80,000 Buildable SF

*FAR - Floor area ratios are used as a measure of the density of the site being developed. The ratio is generated by dividing the building area by the parcel area, using the same units.



Absorption is calculated at 25% per annum.

General, Special and Capital funds are not impacted significantly.

Major expenses in the general fund include public works and safety.

Major expenses in the Special fund include capital improvements.

KP & Associates



Financial incentives are usually reserved for recruitment/retention of large scale retailers whose sales tax generation has a meaningful impact.

The Arapahoe corridor is decidedly focused on convenience retailing which by it's nature is predominately smaller in scale and

consequently, has smaller impact on sales tax generation. For this reason, providing financial incentives to convenience retailing is generally not a significant tool in recruitment/retention of these retailers. The lower sales volumes do not generate enough sales tax to provide meaningful financial incentives to the retailer themselves.

Appendices

Stakeholder Contact List

Where do your Community's Customers Come From?

Centennial Land Use Regulations – Table 12-2-408

Spacing & Area Requirements for Selected Commercial Uses

Centennial Land Use Regulations – Section 12-4-202

Drive-In or Drive-Through Restaurants



Stakeholder Contact List

Bob Koontz	Kelmore Development
Brian Mott	IBC Holdings
Carolyn Martinez	Newmark Grubb Knight Frank
Dan Sisel	Marcus Investments
Jason Wedlick	Woodbury
John Liprando	Sullivan Hayes
Grant Maves	Sullivan Hayes
Matt Mendisco	Clifton Larson Anderson
Neil Goldblatt	Dikeou Realty
Ric Holderith	The Summit Group
Richard Abramson	Centennial Gun Club
Ryan Good	Etkin Johnson
Steve Tetrick	Glenbrook Capital Partners
Wally Maaliki	R&R Investments
Chris Wittenbrink	Jordan-Arapahoe LLP
Robert Adams Jr.	Adams Lumber Company
Natasha Felten	Colorado Commercial Companies
Eli Boymel	Crosbie Real Estate Group
Mark von Engeln	Moreland Properties
Linda Purdy	Richmond Homes
David Wilson	Enterprise Rent-A-Car
John Griffis	Buccaneer Development
Larry Krieger	Finn McCools
Matt Kennan	Solera Salon
John Gessner	Twin Peaks
Larry DePasquale	Epicurean Catering

Where do your community's customers come from?

Edited from the University of Minnesota Extension "Retail Analysis & Development" fact sheet.



A trade area is the geographic area from which a community or commercial district pulls a majority of its customers. Community trade areas often extend beyond city or neighborhood boundaries and come in a variety of shapes and sizes, depending on local geography and a community's pulling power – its ability to attract customers.

Important factors –

The 2 most important factors in determining trade area(s) are a community's population and its proximity to other competing business districts.

- **Population:** Generally, the larger your community's population, the bigger your trade area.
- **Proximity of other competing business districts:** Typically there is a cutoff point where more customers are drawn to a competing center instead of your community.
- **Business mix:** A diverse, critical mass of businesses pulls customers from a further distance than a more limited mix of businesses.
- **Destination attractions:** A significant destination business (large anchor retailer) or community attraction can expand your trade area for some retailers – drawing customers from a long distance.
- **Traffic patterns:** Distinct traffic patterns are established by its network of streets and highways as well as major land forms such as rivers, lakes and mountains.

Defining a trade area is more of an art than a science and no one method is the "correct" one. The main objective is to delineate an area that businesses and other interested parties would deem reasonable for the whole community or business district. If a trade area is too small or too large, expectations of the trade area would prove unrealistic.

Rings are the most simple trade area delineation and is based on distance from the center of the retailing area. Trade area rings have been used by retailers for decades and continue to be the basis for most trade area delineation.

Centennial Land Use Regulations

A. Spacing and Area Requirements for Selected Commercial Uses.

1. *General Spacing and Area Requirements.* The spacing and parcel area requirements for commercial uses that are specified in Table 12-2-408, *Spacing and Area Requirements for Selected Commercial Uses* shall be as set out in the table, unless the alternative standards of subsection L2 or L3 of this Section and the applicable design standards of [Division 4-2, Nonresidential Design Standards](#) are met.

Table 12-2-408 Spacing and Area Requirements for Selected Commercial Uses					
	Vehicle Sales Rental, and Service ²	Convenience Stores; Gas Stations ²	Restaurant, Drive-In or Drive-Through	Vehicle Wash	Heavy Retail
Required Spacing from Rights of Way					
Arapahoe Road ROW	1,500 feet	300 feet ³	300 feet ³	300 feet ³	-
Parker Road ROW	1,500 feet	300 feet	300 feet	300 feet	-
Broncos Parkway ROW	1,500 feet	300 feet	300 feet	300 feet	-
Jordan Road ROW (South of Hinsdale Drive)	1,500 feet	-	-	-	-
Required Spacing from Intersections					
Briarwood Avenue and Jordan Road	-	500 feet	500 feet	500 feet	-
Parker Road and Broncos Parkway	-	500 feet	500 feet	500 feet	-
Jordan Road and Broncos Parkway	-	500 feet	-	-	-
Easter Avenue and Havana Street	1,500 feet	500 feet	500 feet	500 feet	-
Easter Avenue and Peoria Street	-	500 feet	500 feet	500 feet	-
Potomac Street and Briarwood Avenue	-	-	500 feet	-	-
Other Spacing Requirements					
Spacing from Same Use	-	1,000 feet	-	1,000 feet	-
Spacing from Residential Use	-	300 feet	300 feet	300 feet	300 feet
Minimum and Maximum Parcel Size					
Minimum Area of Parcel Proposed for Development	5 acres ¹	1/2 acre	-	-	2 acres
¹ Minimum area does not apply to uses that are wholly enclosed within buildings or to car sharing, existing dealerships, or auto brokers as defined in Section 12-2-408(J). ² Use Does not include vehicle service or light automobile station. ³ Required spacing from E. Arapahoe Road only applies to those areas of the City bounded on the west by S. Yosemite Street and on the east by S. Parker Road.					

Centennial Land Use Regulations

Sec. 12-4-202 Drive-In or Drive-Through Restaurants

- H. **Design Requirements.** The following requirements shall be met for all new or redeveloped drive-in or drive-through restaurants.
- I. **Access, Circulation and On-Site Parking.**
1. Access points and driveways shall be planned and shared among abutting properties to the greatest extent possible, and appropriate access easements shall be recorded.
 2. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access shall be provided from the perimeter of the parcel proposed for development to the principal buildings. Sidewalks along the front façade and the sides of all principal buildings with public entrances shall be no less than seven feet in width.
 3. Customer / employee parking shall be separated from driving activities and customer parking shall be located in the area with the highest accessibility to dining or sales areas.
- J. **Setback from Rights-of-Way.** Principal buildings shall be set back at least 40 feet from rights-of-way. This requirement supersedes any conflicting setbacks of the underlying district regulations. All other setbacks of the underlying zoning district are unaffected by this requirement.
- K. **Architectural Design.**
1. Drive-in and drive-through restaurants shall maintain a consistent style and architectural theme. Architectural design, building materials, colors, forms, roof style and detailing should all work together to express a harmonious and consistent design.
 2. 360-degree architectural treatment is required. Building design shall incorporate variation in building height, building mass, roof forms and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls.
 3. Building elements shall not function as signage. Incorporation of franchise or business design elements unique or symbolic of a particular business shall be secondary to the overall architectural design.
 4. Drive-in displays, ordering areas and parking canopies are permitted, but shall not serve as the singularly dominant feature on the site or as a sign or an attention-getting device.
 5. Site furnishings shall be provided, including: bicycle racks, outdoor eating areas, trash receptacles, and benches. The style of the site furniture shall complement the overall design of the principal building and be of high quality.

L. **Lighting Requirements.** In addition to general lighting requirements specified in [Division 6-7](#), *Exterior Lighting Standards*, the following specific lighting requirements apply:

1. Lighting for drive-in and drive-through restaurants shall be adequate only to facilitate the activities taking place in such locations and shall not be used to attract attention to the business.
2. The maximum level of illumination shall not exceed 20 foot candles anywhere on the site;
3. Where a drive-in or drive-through restaurant abuts property zoned or used for residential purposes, lights illuminating drive-in lanes, vehicle stacking areas, or the order / pick-up windows shall be shielded from residences and extinguished at the close of business.

M. **Landscaping / Hardscaping.**

1. *Landscaping.* All landscaping shall comply with [Article 8](#), *Development Landscaping and Tree Protection*, which shall be minimum requirements. Additional landscaping may be required by the City to achieve the following purposes:
 - a. To buffer or enhance views;
 - b. To create or enhance entryways and public street appearance; and / or
 - c. To enhance the overall appearance of the drive-in or drive-through restaurant.
2. *Hardscaping.* Large expanses of concrete or asphalt are not permitted. The amount of unrelieved uninterrupted asphalt or pavement area shall be limited through the use of landscaping, contrasting colors and banding or pathways of alternative paving material. Points of vehicle and pedestrian conflict shall be clearly defined with textured and colored pavement or brick pavers or in another appropriate manner as determined by the City.

N. **Operational Requirements.**

1. *Trash Receptacles.* Trash receptacles shall be emptied on a regular basis so as to maintain a clean and orderly appearance.
2. *Ordering Systems / Speakers.* Drive-through ordering systems / speakers shall only be utilized for the purpose of communications between employees and customers and shall not negatively impact adjacent residential uses. Such systems shall be designed to direct the sound away from adjacent residential properties. No speaker shall be operated within 100 feet from an adjacent residentially zoned or used property.

Effective on: 4/19/2010



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Interim City Manager

FROM: Sheri Chadwick, Communications Director

DATE OF MEETING: November 14, 2016

DATE OF SUBMITTAL: November 4, 2016

SUBJECT: Resolution No. 2016-R-74, Approving an Amendment to a Professional Services Agreement with Team Player Productions

1. Executive Summary:

The November 19th Holiday Lighting Celebration in Centennial Center Park is the City's final event of the season. Equipment and staffing needs have increased in order to accommodate the more complex size and scope of the event. Team Player Productions is the event management company that the City uses to produce and manage its events. Due to the nature of their work with other entities and the scale of their productions, Team Player often receives better rates than the City could on its own. This arrangement serves as a "pass through" for the City, reducing our overall production costs.

For 2016, the production contract had a not-to-exceed amount of \$150,000. Staff anticipates that the holiday lighting event will exceed this amount. As a result, Staff and Team Player Productions have negotiated a contract amendment that will support the production of the final event. The cost of this contract amendment will be offset by cost savings in the Communications budget.

Staff recommends Council approval of Resolution 2016-R-74, approving an amendment to the contract with Team Player Productions.

2. Discussion:

Now in its fifth year, the Holiday Lighting Celebration has consistently grown in scope, size, and attendance. This year's event includes performances by the Denver Ballet and six school choirs singing holiday carols. Roughly 400 area schoolchildren are involved in the event.

The cost of production of the Holiday Lighting Celebration will exceed the amount authorized under the contract with Team Player Productions. As a result, Staff recommends Council authorize additional funding for the Team Player Productions contract in order to host a successful Holiday Lighting Celebration.

3. Recommendation:

Staff recommends Council approval of Resolution 2016-R-74, approving an amendment to the contract with Team Player Productions.

4. Alternatives:

Council may choose not to approve Resolution 2016-R-74, which would result in the City being unable to provide the required resources in order to successfully produce the Holiday Lighting Celebration.

5. Fiscal Impact:

The amount of this contract amendment is \$25,000. The contract amendment will be covered by cost savings in the Communications budget. As a result, there is no net fiscal impact for the amendment.

6. Next Steps:

Pending Council approval of Resolution 2016-R-74, Staff will continue with preparations for the November 19th Holiday Lighting Celebration.

7. Previous Actions:

No previous actions.

8. Suggested Motion:

Recommended Motion: I move to approve Resolution No. 2016-R-74, A Resolution of the City Council of the City of Centennial, Colorado, Approving an Amendment to a Professional Services Agreement with Team Player Productions, Inc.

Alternative Motion: I move to deny Resolution No. 2016-R-74, A Resolution of the City Council of the City of Centennial, Colorado, Approving an Amendment to a Professional Services Agreement with Team Player Productions, Inc.

**CITY OF CENTENNIAL,
COLORADO**

RESOLUTION NO. 2016-R-74

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO, APPROVING AN AMENDMENT TO A
PROFESSIONAL SERVICES AGREEMENT WITH TEAM PLAYER
PRODUCTIONS, INC.**

WHEREAS, effective March 15, 2015, the City and Team Player Productions, Inc., (“Consultant”) entered into a professional services agreement for Event Production and Management Services on an As- Ordered Basis pursuant to which the Consultant provides various event management services on an as-needed and as-ordered basis and to varying levels depending on the nature of a given event (“Agreement”); and

WHEREAS, the Agreement provides that the total compensation paid to Consultant in any calendar year during the term of any optional and exercised extension of the Agreement shall not exceed \$150,000.00; and

WHEREAS, the City Manager, pursuant to his authority to execute contracts as set forth in Section 2-2-130 of the Centennial Municipal Code, authorized an extension of the Agreement for 2016, subject to the same limits on compensation (not to exceed \$150,000.00); and

WHEREAS, the invoices received and to be received by the City from Consultant for 2016 will exceed the \$150,000.00 Agreement compensation limitation by approximately \$25,000.00; and

WHEREAS, the compensation payable to Consultant for 2016 remains within budgeted and appropriated amounts following budget and appropriations amendment approved by Resolution 2016-R-72; and

WHEREAS, City Council desires to approve an amendment to the Agreement to increase the compensation payable in 2016 and for any exercised optional extension year to an amount not to exceed the amount budgeted and appropriated for the services provided under the Agreement for each relevant year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Centennial, Colorado as follows:

Section 1. Approval of Agreement Amendment. The City Council hereby approves the Agreement Amendment in substantially the form as attached as **Exhibit A**; (b) authorizes the City Attorney, in consultation with the City Manager, to make such changes to the Agreement as may be needed to correct any nonmaterial errors or language that do not increase the obligations of the City; and (c) authorizes the Mayor to execute, on behalf of the City, the Agreement Amendment.

Section 2. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED by a vote of ____ in favor and ____ against this 14th day of November, 2016.

By: _____
Cathy A. Noon, Mayor

ATTEST:

Approved as to Form:

By: _____
City Clerk or Deputy City Clerk

By: _____
For City Attorney's Office

EXHIBIT A
Agreement Amendment

FIRST AMENDMENT
CITY OF CENTENNIAL
PROFESSIONAL SERVICES AGREEMENT
Independent Contractor

Project/Services Name: **Event Production and Management Services on an As- Ordered Basis**

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT ("Agreement Amendment") is entered into by and between **TEAM PLAYER PRODUCTIONS, INC.**, whose business address is 1539 Platte St. Suite 206, Denver CO 80202 (the "Consultant") and the **CITY OF CENTENNIAL, COLORADO**, a home rule municipality of the State of Colorado (the "City"). The City and the Consultant may be collectively referred to herein as the "Parties."

RECITALS AND REPRESENTATIONS

WHEREAS, the City and Consultant entered into a Professional Services Agreement effective March 15, 2015, with an initial term expiring December 31, 2015, pursuant to which Consultant provides various production and event management services on an as-needed and as-ordered basis and to varying levels depending on the nature of a given event ("PSA"); and

WHEREAS, Section 1.3 of the PSA recites the authorized representative for each party and the City desires to change its authorized representative to Sheri Chadwick; and

WHEREAS, Section 4.1 of the PSA provides that the Agreement may be extended by the City on a year by year basis, for up to four (4) additional one year terms, in its sole discretion by issuing to Consultant a written notice of extension executed by the City Manager; and

WHEREAS, Section 2.1(B) of the PSA (which due to a typographical error appears on the Agreement as 2.0(B)) further provides that any extension shall incorporate the compensation limits set forth in the Agreement which limits compensation to no more than \$150,000.00 per year ("Annual Compensation Limit"); and

WHEREAS, the City extended the PSA for 2016 subject to the Annual Compensation Limit; and

WHEREAS, the Parties desire to amend the PSA to tie the Annual Compensation Limit to the amount budgeted annually for the Services for 2016 and any additional optional extension terms.

NOW, THEREFORE, in consideration of the benefits and obligations of this Agreement Amendment, the Parties mutually agree as follows:

- 1.0 AMENDMENT OF SECTION 1.3.** Section 1.3 of the PSA shall be amended to state that the City's Authorized Representative shall be Sheri Chadwick.
- 2.0 AMENDMENT OF SECTION 2.1(B).** Subsection B of Section 2.1 (2.0 on the Agreement but hereby corrected as subsection 2.1) of the PSA, entitled "Limits on Compensation," shall be amended to read as follows in its entirety:

- B. Limit on Compensation On a per Order for Services basis, total compensation for Services (exclusive of Reimbursable Expenses) shall not exceed 10% over the final quote approved in writing by the City Representative prior to the applicable event. Total compensation paid to Consultant under the Initial Term of this Agreement or in any calendar year during the term of any optional and exercised extension of this Agreement shall not exceed the amount budgeted and appropriated for the Services by the City Council in the relevant year. **The Consultant shall not provide any Services or Additional Services under this Agreement unless and until an authorized Order for Services has been executed by the City Manager.**

3.0 **NO FURTHER AMENDMENTS.** All other provisions, terms and conditions of the Agreement shall remain in effect for any one year extension term unless further amended.

CITY OF CENTENNIAL, COLORADO

Approval by City Council

☐ Not Required

By:

Cathy A. Noon, Mayor

Other Approval Authority

By:

Approval by City Manager

☒ Not Required

By:

Department Director/Division Manager

Purchasing Manager Approval

By:

Elisha Thomas, Deputy City Manager
(Pursuant to authority set forth in City Council
Ordinance 2010-O-06)

Purchasing Manager

ATTEST:

City Clerk or Deputy City Clerk

APPROVED AS TO FORM (Excluding Exhibits)

☐ Not Required

For City Attorney's Office

FINANCE DEPARTMENT REVIEW:

Finance has reviewed this agreement and the funds:

- ☐ *are appropriated and available for this agreement.*
- ☐ *are not available for this agreement.*
- ☐ *Other:* _____

By: _____

Budgeted Item/Account: _____

Department/Position Responsible for Administration of Contract: _____ Communications

CONTRACTOR: TEAM PLAYER PRODUCTIONS, INC.

By: _____

Print Name: _____

Position/Title: _____